



# IN THIS BO

ke is conteyned the of-  
fices of Shyrriffes, bay-  
lyffes of liberties, Esche-  
tours, Constables, & Cor-  
oners, and sheweth what  
every one of them may do  
by vertue of their offi-  
ces, Drawen out of  
bookes of the com-  
mon lawe, and  
of the sta-  
tutes.

(.o.)

Anno salutis. 1556.







## The office of Shyriffe.



That the office of a Shyriffe is here after shall more playnly appeare, but in a generallite; his office is righteously & due-ly to retourne al wyttes and preceptes to hym directed, and truly to execute the same accordyng as he shall be commaunded in the same wyttes & preceptes. And that he take nothyng of anye persone for doynge hys office, but the due and accustomed fees to hym belongyng. And that he duely holde and kepe his counties, courtes, and tournes, accordynge to the due course of the lawe. Upon these.iii. poyntes dependeth the whole charge and effect of his office.

The office of the Shyriffe is to retourne good sufficient and reasonable issues, and vpon suche personnes as haue sufficient goodes or landes, accordyng to the statute of Westminster.ii.capitul.xcix. and Edwardi tertii.capitulo quinto.

The Shyriffe ought to take the endyte-mentes founde before him in his Tourne by Indenture, and so shall Baylyffes of fraunchises, one parte whercof shall remayne with the inditours, secondo Edwardi tertii.Capitulo.xvii.

The Shyriffe may arrest men riding or

A.ii.

goynge

## The office

going armed, and comynpte them to pryson, there to remayne at the kynges pleasure. ii. Ed. iii. cap. v. at Northampton.

Sheriffes and undersheriffes shall receyue wyttes in euery place wythin the countie without takyng ought, & shal make a byll whiche if they refuse other that bee present shall put to their seales. And yf they retourne not the same wyttes, they shalbe punysshed, & shall rendre damages to the party. ii. Ed. iii. ca. v. at Northampton

Sheriffes and Baylours shall receyue Theues indited or taken with the maner without takyng any thyng for the receyt. iiii. Edwardi. iii. cap. r.

Sheriffes shall leasse theyr hundredes and wapentakes after the olde ferme, and not aboue. An. iiii. Ed. iii. cap. rrb. and. An. riii. Ed. iii. cap. viii.

Sheriffes ought to areste persons suspecte of felonye goyng by nyght or by day whiche be of euill fame. ii. Ed. 3. ca. 14.

The sheriffe in one countie shal haue no mo Bayliffes errant but. i. 14. Ed. 3. cap. 9.

Sheriffes ought to kepe theyr tournes euery yere within a moneth after Easter and within a moneth after Myghelmas, 31. Edwardi tertii. cap. 14.

Sheriffes that leuy issues fines & amerciamentes

ciamentes in the countie, ought to haue p  
ertreates enseled with the seale of the Che  
chequer, so that as muche as is payd, may  
be botted. And if any shyffie or mynister  
do the contrary, he shal rendre to the par  
ty triply damages, and shall make fyne to  
the kyng, & the sute hereof may be as well  
for iusticers of the peace as before other  
iusticers. 24. Edward. 1. cap. 9.

The shyffies shall array the panels of  
Assises foure dayes before the sessions at  
the least, vpon payne of. 20. li. And Bayl  
iffes of lyberties, shal make retourne to  
shyffes fyre dayes before the Sessions,  
vpon the same payne. 42. Ed. 3. cap. 11.

The shyffie ought to exampne loyter  
ers and vagarantes, and compel them to  
fynde suretye of theyr good behauour by  
sufficient maynprie of suche as be discrep  
nable, yf any default be founde in such va  
garantes. And yf they can not fynde such  
surety, then to commaunde them to the  
next taylor, there to remayne vntil the co  
myng of the Justycers of Tayle deliuerie,  
they to do with suche vagarantes as they  
shall thynke best. 7. Richard. 2. cap. 7,

The shyffie shal be bounden foure ty  
mes in the yere to make proclamaciō of  
the estatute of Wynchester in euery ban



breth of bys Baylwyke.

The Shyriffe ought to take swerdes, daggers and hāgers from seruauntes, labourers, and seruauntes of craftes men, and bytaylorz that weare them, onles it be in tyme of warr: or when they labour in the countrey, with their maisters or vpo their busines. And the Shyriffe shal kepe thesame weapons, whiche they shal present vnto the Justicers of the peace at their sessions with the names of them that bare them  
 xii. Richardi. ii. cap. vi.

Shirifes ought to receyue labourers, seruauntes, beggars, & vagabōdes & the deteyne in pryson without bayle or maynpris, & without fee or taking any thyng at their entre or goyng out of pryson vpon payne to forsaite. c. li. to y<sup>e</sup> king. ii. R. 2. ca. 9

Syriffes & other ministers of the kyng so sone as they shall haue knowledge of assemblies & ryottes with outragiius nōbre of people, ought with y<sup>e</sup> power of the shire to go and make resistance agaynst suche malyce with all their strengthe; and shall attache suche mysdoers and kepe them in pryson vntyll the due punishment of the lawe be erecuted vpon them. And al manner of lordes, and other the Kynges true liege men ought to be assistant with all  
 their



their power and strength to ayde the Shyffes and other mynisters therein. 17. Richardi secundi. cap. 8.

Shyffes ought to be personally dwelling in their bayliwikes for the tyme, and thei shal not let the to farme. 4. He. 4. ca. 5.

Shyffes ought to se and prouyde that neyther theyr vnder shyffes, baylyffes, clerkes, nor receyuours shalbe attourneis in the kynges courtes for y tyme of their office. 1. Hen. 5. cap. 4.

Shyffes ought to let to maynpris persones indited of heresy, & lollardes which are in their kepyng within. x. dayes vnder good suertye, so that they appeare before the ende of the sayd. x. daies. 2. Hen. 5. ca. 7.

Shyffes shal cause the statute of purueiours to be proclaymed. 4. tymes in the yeare, vpon payne of. C. li. for euery tyme that he fayleth so to do. And vpon lyke payne shal deliuer the same to his successeur to be proclaymed. 1. Hen. 6. cap. 2.

Shyffes must make due election of knyghtes of the parliamēt. 9. Hen. 6. ca. 4.

Shyffes must retorne suche persones knyghtes of the parliament which be chosen by the greater nobye of the freholders dwelling in the countie whiche maye expende. xl. s. yearely aboue all charges.

And y<sup>e</sup> those knyghtes be dwelling within the same countye. And that he examyne every freholder at suche elections vpon a booke, how much he may expende. And if any Shyryffe retorne other knyghtes he shall forsayte. 100. li. to the kyng, and shall haue one yeares imprisonment without bayle or maynpris.

Shyryffes vpon a precepte made vnto them by Iusticers of the peace to enquire of forsible entre, shall retorne vpon every of the inrouers. 20. s. in fines at y<sup>e</sup> firste day. And iusticers of the peace, shall heare and determine such defaultes of Shyryffes by byll at the sute of the partye or by inditement. And they shall lese. 20. li. for every defaulte. And he that wyll sue shall haue the one halfe. 8 Henrici. 6. cap. 9.

To auoyde robberies and spoyles, vpo the ryuer of Deuerne, & by the costes of forrestes of Dean, and the hūdrēdes of Blosdellom, and Westbury in the countye of Glocester the Shyryffes of Glocester, or the baylyffes of the towne of Glocester after notification made to any of them of suche iniuries, and damages, by the parties grieved, within foure dayes after such notification made, shall make proclamacion at the towne of Glocester, that suche offenders

**Of Shyrriffes.**

bers within .15. dayes after such proclamation, shal restore vnto the parties endomaged their goodes so take o2 the value with a reasonable amendes. The sayd Shyrriffes baylliffes toso2 sayte. 20. li. if they sayle so to do. 9. Henrici sexti. capit. 28.

The Shyrriffe of Warforde, neyther in his turne nor in any other place after the turne ended, shall take any enquiry o2 inquest of office, whiche ought not to be taken there. Neyther shall he take any fyne o2 merciamment for thynges not appertaynyng to hys offyce o2 turne, bpō payne to so2 sayte. 10. li. 10. Henrici. 6. cap. 7.

Shyrriffes ought to retourne in attayn-ter in plee of lande, men of the yearely value cf. 40. s. o2 in an action for dedes concerning landes of such value, & in actions of p̄ summe of. 40. li. And moreover, those persons dwelling within their baillewie whiche may expende. 20. li. yearely aboue all charges for terme of lyfe at the leaste, out of auncient demerit Gavel kind, & the v. portes. And at the firste distres. 40. s. & at the seconde an hundred. s. and the double value of euery other distres agaynst the iurours, vpon payne of. 10. li. to the kyng, and as muche to the partye. And yf there be not sufficiēt personnes dwelling

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### The office

within the county which may expende. 20. ponde perely: then shall they impanel other persones of the moſte ſufficient poſſeſſion of perely value of landes and tenementes within the value of twenty. li. vpon payne to forſayte tenne ponde to the king, and to the party as muche in the fourme afoze ſayd decimo quinto Henrici ſexti capitulo quinto.

The ſhyriffe or vnderſhyrife of Herford muſt arreſt ſuche perſones of Wales, or of marches thereof, whiche be outlawed of treaſon, or felony, whome the ſayd ſhyrife knoweth or ſeeth to be in any place within the ſayd county, and to bryng them to the Gaile. And if any ſuche perſone, beyng en dited, do diſobey or flye away, the ſayd ſhyrife ſhall leuie hue and crye and purſue him vpon payne to make fine & raunſome to the kyng. 23. Henrici. 6. cap. 5.

The ſhyrife ſhal not occupye his office aboue one yere, & if he ſo do then to forſaite xx. li. and euery pardone for ſuche offences ſhall be voyde, any wordes put in ſuch letters patentes notwithstanding. Also he that preſumeth to occupy the ſame offyce aboue one yere by force of ſuche letters patentes, ſhalbe diſable to be ſhyrife in any other ſhyrre afterwarde. 23. Hen. 6. cap. 8.



### **Of Shyryffes.**

**No** shyryffe shal lette to ferme his countie, nor any of his baylywkes hundredes, or wapentakes. **No** Shyryfe, Baylyfe of fraunchyse, ne other officer shal retorne in any panell any of his bayllyfes, officers or theyr seruauntes.

**No** shyryfe nor any other to any vse shal take ought of any persone to be arrested, or attached, nor to succeasse of any arrelle or attachment to be made by the body. **No**r shal take ought of any persone arrested, or attached for fyne, fee, sute of pryson mainpryse, letting to bayle, or for shewing any fauoure or ease to any persone beyng so arrested, except it be as here foloweth, that is to wete, to the shyryfe. xx. d. to the baylyfe that made the arrest, iiii. d. and to the Jaylor if the prysoner be committed to warde, foure pence.

**The** shyryfe hym selfe, nor any to his vse shal not take any thyng for the making of any retorne or panell, but for the copy of the panell. 4. d. **Howebeit** they vse to take two. s. for the retorne of a panell, but that semeth to be extorcion.

**Shyryfes** ought to let out of pryson all persones beyng in their warde by force of any wytte, byll or warrante, in any action personall or inditement of trespasse  
vpon

vpō a reasonable suerty beyng suffycien in the countye to kepe their dayes in the places as the said bylles wyttes or warrantes requyre, except suche as be condempned, outclawed or communicate, or for suertye of the peace, or by the commaundement of any Justicer, and vagaboundes which refuse to serue.

Also Shyffes ought not to take any obligations for any thyng aboue mencioned, or by coloure of theyr office, but onely to them selues, nor of any persone beyng in theyr wards, but by the name of theyr office, as by the name of Shyffes, in the obligation, vpō condicion that the parties shal appere at y dayes cōteyned in the wyttes in suche places as the bylles, wyttes, or warrantes requyre. And yf any obligaciō be taken of any persone by coloure of theyr office in any other fourme, it shalbe voyde.

Shyffes shall not take for any obligation warrant or precept by thē to be made any more then foure. d.

Shyffes must make theyr deputies yearly in the kynges courtes, y is to wete in the chauncery, the benche & the eschequer of recorde before they retorne any writte.

Shyffes that do contrary to this ordinance in any poynt shall lese to the party grieved

## Of Shyffes.

greded tryple damages, and shall forsayte  
40. li. for every tyme that they shall so of-  
fende the one halfe to the kynge the other  
to hym that wyll sue. 23. Hen. 7. cap. 10.

Shyffes when wyttes be dyrected vnto  
to them to leue the expenses of knyghtes  
of the parliament, muste make proclama-  
cion at the next countie after the deliue-  
raunce of the same wyttes, that the Coro-  
ners, Constables, & Baylyffes of hundredes  
shall be there to asseste theyr wages, vpon  
payne of. 40. s. What tyme they shall as-  
seste every hundred at a certayne summe  
by itselfe, and after they shal asseste every  
village within the same hundred at a cer-  
tayne summe by it selfe. And if they be o-  
therwyle assested, for every defaute they  
shall forsayte. 20. li. The one halfe wherof  
shalbe to the partie that wyll sue. And the  
Shyffe shal leue thesame dylce, and shal  
paye it to the knyghtes of the parliament  
vpon payne of. 20. li. And the partie that  
wyll sue shall haue his accion by Scire fa-  
cias, and shall haue ten poundes aboue the  
twenty pounce with tryple damages. 23.  
Henrici septi. Capitulo vicesimo secundo.

The Shyffe after the deliuey of anye  
wytte to make election for the knyghtes  
of the parliament, must make a sufficient  
precepte



### The office

precepte vnder his seale to euery Mayre and Bayllyfe of Cyties and Borowghes, within the countye, them commaundynge to electe Cytezens, and Burgeses to come vnto the Parliament. And the sayd mayre and bayllyfes shal truly retourne thesame precepte to the Shyrife by indenture betwene them for the election and names of them that are so chosen. And the Shyrife is bounden to make a good and true retourne of euery suche wypte, and of euery retourne made to hym by the mayre and bayllyfes. And for euery tyme that the Shyrife shal do contrary to this or any other estatute made for the election of shyryfes to come vnto the parliament, he shal encurre the payne of one. C. li. to the kynge, and a yere imprisonment without bayle. And more ouer shal paye vnto the persone so beynge chosen knyghte, cytezen, or burges and not duely retourne: or to any other persone whiche in defaulte of suche knyghte burgesse, or cytezen, wyl sue therfore, one hundredth ponde to be recovered by accion of dette.

And thhe Shyrife ought to make suche elections in the full countye betwene the houres of. viii. and. ix. before none, and to make a good and true retourne of suche elections



elections, vpon payne to forsayte an hundred pounce to the kyng, and asmuche to the partye that wyl sue therfore against the whyriffes, their executors or administrators. 23. Henrici. vii. cap. 15.

Whyriffes in their tournes ought to inquire, heare, and determine, if any minister, of the warden of the courte in the marches of Scotlande: or if any other arrest anye persone by his bodie or attache hym by his goodes out of the counties of Northumberlande, and Cumberlande, & Westmerlande, and the towne of Newcastle, to aunswere in any of the sayd courtes: or els by colour or cause of any processe in the sayd courtes: for in suche arrestes it shalbe lawfull for every man to make resistance. And the party greued shall haue an action of false imprisonment or trespassse, & shall recouer trible damages therfore, & the defendaut shal haue two yeares imprisonment. And the whyriffe shal haue power to procede therupō, as well as vpon a presentment made in his tourne. rxi. Henrici. serti. Capit. ii.

Where as some men by dissimulation and other meanes sayne thei selues to bee louers to women vnmariied as maydens, or Wyddowes hauing great possession  
and

### **The Office**

and substance of goodes, and get such women into theyr possession, & conuey theym into suche places, from whence they wyl not suffre them to go at their lybertie, except they wyl make to them obligations of great summes to be payde vnto them, or cause them to bee bounden in a statute Marchaunt, or sometyme wyl compel the to be marped at their pleasure, whiche yf they refuse to leue vpon the the summes conteyned in the same obligations & statutes: it is ordeyned that the partye greued shall haue a wrytte out of the chauncerpe comprysing the whole matter of their unreasonable intreatyng directed to the Shyriffe commaundyng hym to make proclamation at the next countie after the receit of the wrytte that the offendour shall appeare at a certayn daye & place pefixed in the wrytte before the chaunceller or the iustices of assise of the shyre where such offences shall hap to be done, or before some other persone assigned by the chaunceller. And the Shyriffe to whome suche a wrytte shalbe directed, & shall execute the same accordyng to the tenour therof, vpon payne of .300.li. the one halfe to the kynge, the other to him that wil sue therfore by writte of dette, wherein no wager of law, protection,

## **The office of Shyryffes.**

tion, no: sozein plee (to cause the matter to be tryed in another countye then where the wypte is bꝛought) shalbe allowed. 31.

**Henrici quarti, capitulo quarto.**

Upon euery inditement, or presentement taken befoze Shyryffes, or their ministers in their tournes, or lawdayes, they shall delyuer the same indimentes and presentments to the iusticers of the peace at their nexte sessions vpon paine of. xl. li. And the iusticers of the peace shal award proceſſe vpon the same as well, as yf they had ben taken befoze them selues, & shall arayne those that be so indited of felony, & shall set fines vpon suche as be indited of trespassse, the extreates of which fines shal be inrolled by indenture, and deliuered vnto the same Shyryffes or ministers.

And if any Shyryffes or theyꝝ ministers, arrest or attache any person by coloure of any such inditement or presentment in their tournes or lawdayes, or els take anye fine or amerciament therfoze thei haue proces from the iusticers of the peace, or afoze y extreates out of the Indimentes shalbe deliuered, thei shal forsaite a. C. pound, the moyt wherof shalbe to the partye supnge therfoze by writ of det in which no wager of law, no: protection shalbe allowed.



## The office of Shyppes.

Anno primo Edwardi. 4. capi. vltimo.

Upon an informacio made to Justicers of peace, or other Justicers agaynst any person for reteynynge or geuynge of lueries or agaynst any that is reteyned or taketh luerie, the Justycers shall make proceste therupon, as vpon a recovery of dette or trespassse. And if the Shyppes in anye sute graunted therupon agaynst any persō beyng sufficient, retorne any lesse issues thē xx.s. at the first day of the distresse, and at the second day. xxx.s. and at the thyrde day. xl.s. and so at eury day after, more by. x.s. in issues for eury such retourne he shall forsayt. xx.s. 8. Edwardi. 4. ca. 2.

The old Shyppes shall haue power to retourne wyttes, and to execute hys office durynge the terme of saynct Michel, & Hilary, after the yeare of his sayd office expired, onles he be lawfully discharged thereof, before. 15. Edwardi. 4. capi. 9.

No Shyppes, nor other officer shall seale or take the goodes of any persō beyng arrested or imprisoned for felony vntyll the same person be dueli convict or attainted of the same felony by course of the comon lawes, or except the same goods be otherwise lawfully forsayte, vpon paynte forsayt the double value of the goods so take  
to



### **The office of thyrztes.**

to the party greued suyng therfore by action of det, wherein no wager of law essoin nor protection shalbe allowed. i. Richard. iii. capitulo. iii.

No bailife or other officer in any panel within any county of this realme shall returne any persone to be put in or vpo any Inquirie, in y turnes of thyrztes, but such as be of good name & fame hauing frehold to the yearly value of. 20. s. or copyhold to the yearly value of. 26. s. viii. d. at the least aboue al charges vpo pain to lese for euery person not beyng sufficient, at euery time that they shall so offend. 40. s. and the thirise other. 40. s. wherof the one moyt shal be to the party suyng therfore by action of det, in which sute no protectio, nor essoine shalbe allowed. But wager of lawe is not expressed. And for that cause it behoued to make informacion therof in the Eschequer p<sup>r</sup>imo Richardi. iii. Cap. iii.

Thyrztes or other hauing the custodie of Jayles shall certify the names of euery prisoner beyng in their custodie, & to them committed for felony, vnto the Justycers at the nexte generall Jayle deliuey to be kalendred, vpon payne to forfait for euery tyme that they make default in so doyng a hundred shillings. 3. Hen. 7. cap. 3

## **The office of Shyreffes.**

Also the Shyriffe or no other persone in his name or by his comaundement shal enter no playntes into their bookes in no mans name onlesse the playntife be there in hys proper person or els by sufficient atturnai or deputy that is knowen of good name, & the playntyfe shall fynde pledges, persons that be knowen in that county, to pursue hys playnte, and the playntyfe shall haue but one playnt for one trespase or one contract. And if the Shyriffe or any other his officers cause to be entred any mo playntes then the playntyfe supposeth that he hath cause of accion against the defendaunt, tha the Shyriffe or his clarke that doth cause to be entred any suche playntes contrarye to thys act shall forsayt for euerye defaulte. xl.s. the one halfe to hym that wyl sue and proue the same matter by accion of det or informacion.

Also the Shyriffe shal make sufficiēt preceptes after such playntes entred against the defendaunt directed to the bayllyfe of the hundred to attache or warn the defendaunt to appeare and answere to the said playntes, and if there be any defaut in the sayd Bayllyfe of the hundred in warning or executinge of the ir offices, then to forsayt. xl. Shillinges and to be conuict thereof

of

## The office of Shryffes.

of by examination of the Justicers of the peace or any of them.

The same Shyffes nor theyr deputyes shal make none estreates to leuy the Shyffes amerciamentes til the .ii. Justicers of the peace, wherof one to be of the Quorum haue the sight of their bokes & the estreates to be indented betwyt the Justicers of peace and the Shyffe and vnder Shyffe, sealed with their seales, the one part to remain wyth the sayd Justycers, and the other part wyth the Shyffe.

And those persons that shalbe gatherers of the sayd amerciamentes shalbe sworn by y<sup>e</sup> sayd Justicers that thei take no more mony then is forsayt and conteyned in the estreates sealed with the seale of the iustycers to the same, vpp<sup>r</sup> the same payn of forsaytour as is aboue reherseb: the same gatherers to be conuict by examination of y<sup>e</sup> same Justicers or one of theym. And the same Justicers of peace shalbe appoynted at the sessions holden at Michelmasse by him y<sup>e</sup> is custos rotuloru or in hys absence by the eldest of the quorum to haue the controlment of the sayd Shyffes, vnder Shyffes Shyre Clarkes and other of the sayd officers, and of the sayd Shyffes amerciamentes. And the sayde Justycers of peace vpp<sup>r</sup>  
pon



## The Office of Shyryffes.

Upon suggestion shal make procces against the Shyryffe, vnschyryffe, shyre clarkes, or other officers to appeare before the to answer to such suggestion or informacion as is vbled in accion of trespas. Anno secundo Henrici. vi. capit. iiii.

Also euery Shyryffe shal cause to be taken all vagaboundes, ydle people, and suspect persons, and set them in the stocks, there to remayne at the fyrst takinge by one day and one nyght, and at the seconde tyme to be in the stocks by thre daies and thre nyghtes woth bread and water.

And if any Shyryf execute not these premisses of euery vagabound, hermit, or begger, able to laboure or clerkes, pilgrims, or thypmen, as often as any such cometh in syght, or that he hath therof any knowledge within the towne or place wher he hath authorite that as ofte as anye suche mysdoer abydeeth there aboue the space of one day and one nyght and departe vexamined and unpunished: for euery mysdoer so departed the Shyryffe to loose. iiii. s. & foure pens, and the Shyryffe in hys tourne hath authoritie to enquire of al y defaultes of mayres, Bayliffes, high Constables, petty constables, and all other gouernours, and officers, of cities, townes and villages within

## **The office of Shyffes.**

**Within their turn, & to haue.iii. Shyllynges  
and.4. pens for euery default found in hys  
tourne. Anno.15. Hen.7.cap.12.**

**Also euery shyffe vpo a precept direc-  
ted vnto him by y iusticers of peace to re-  
turne a panel to enquire of any riot or vn-  
lawfull assemble committed shal returne  
24. persons dwelling in the shyre, euerye  
of them hauyng.20. of frehold or.26.s.8.d.  
of copy hold or of both ouer all charges, &  
to re tourne in yssues euery persone.20.s.  
at the fyrst day, and at the second day.40.s  
and yf the default be in the shyffe for re-  
tourneyng of persons not being of that suf-  
ficiency or for no retourneyng of yssues in  
forme before sayd he to forsapt. 20.li. An.  
16. Henrici.7. capit.15.**

**¶ Also yf any riot or assemble of people be  
made in any party of thys realme against  
the law, the iustycers of the peace, or two  
of them at the least, and the shyffes or vn-  
der shyffe maye come wyth the power  
of the Countye (if neede bee) to arreaste  
and brynge theym before the same Ju-  
sticers of the peace. And the Shyffes or  
vnder shyffes haue power to recorde that,  
that they shal fynde in theyr presence con-  
trary to the law, and the offendour shal  
be conuict by such recorde. And yf they be  
B.iiii departed**

### **The Office of Shyffes.**

departed before the cumming of the sayde Justicers, Shyffe or, vnder Shyffe, the shal the same Justicers or two of them within i. moneth after such ryot, enquire diligētly where the assemble was made. And if the truthe can not be found, then the same Justicers, or two of them and the Shyffe or vnder Shyffe aboue sayde, wythin a monthe nexte folowynge, shall certyfy before the kyng and his counsel the hole dede withal the circumstances therof which certificat shalbe as strong to put the partyes to answer therupon, as an indytement found by twelue men. Ann. 13. Hen. 4. cap. vltimo

And if the sayd ryot or vnlawfull assemble be not found (by reason of anye embrazery or mayntenaunce of the sayd Justyce) then the sayd Justycers of peace & the Shyffes ouer and aboue such certificate that they must make accordyng to the sayd statute made. Ann. 13. Henrici quarti, shall in the same certificat certifi the names of the sayd maynteynours and embrazoures in that be halfe (yf anye be) with their misdemeanours that they know, vpon paine of euery of the sayde Justicers, and Shyffes or vnder Shyffes. xx. li. yf they haue no reasonable excuse for not certyfyinge of the same which certificate so made shalbe an inditemēt



## The Office of Shyffes.

inditement in the law, and euery persone  
duely proued to be mayntayner or embra-  
sour shall forsayt. xx. li. and to be comytted  
to Warde there to remayn by discrecyon  
of the Justicers. An. 19. Hen. 7. Capitu. 13.

Also that no shyffe vpon wyttes and  
pceptes directed to hym do retourn be-  
fore Escheatours or Commissioners any  
person to enqyre of any landes or tene-  
mentes, except euery of y<sup>e</sup> same Jury haue  
landes and tenementes of the yerel. value  
of. xl. s. aboue all charges in the same shyffe  
vpon payn of forsaytour for euery person  
so retourned a. C. shyllinges. Anno. 3. hen-  
rici octauu, capitulo secundo.

Also all panels put in by the shyffe be-  
fore any Justicer of gayl deliuer or before  
Justicers of peace (wherof one to be of the  
Quorum) in theyr open sessions to enquire  
for the Kyng shalbe reformed by puttyng  
to, and taking out of the name so impanel-  
led by dyscreciō of the same iusticers. And  
y<sup>e</sup> the same Justicers or Justicer shal com-  
maund euery shyffe & theyr mynysters in  
theyr absences to put other persons in the  
same panell so reformed by the Justycers  
to be good. And if any shyffe do not return  
the same panell so reformed, then euerye  
shyffe so offending for euery such offen-

## **The office of Shyryffes.**

tes shal forsayt. 20. li. half to him that wyl  
sue by accyon of det byl or cōplaint where  
such fall or be and no wager of law, essoy  
nor proteccion shalbe allowed.

Also vpon euery exigent (wher writtes  
of proclamaciō ar to be awarded) the same  
wrytte of proclamation to haue the same  
day of retourne that the exigent hath, and  
to be deliuered of record, and the shirife to  
make proclamacion thre seueral daies in  
hys playn County, wherof one of the pro-  
clamacions to be made at the generall ses-  
sions in those partyes where the party is  
supposed to be dwelling, y he yeld him self  
the shirefe of the fozen shyre y the shyrefe  
may haue the body at the day of the exigēt  
retournable to answer to the playntes, &  
that the shyryffe of the sayd counttie that  
hath such wryttes of proclamacyon duely  
execute the same, and therof make due re-  
tourne at the day appoynted in the same  
wryt, vpon payn to forsayte such amercia-  
ment as by the Justicers shalbe assessed.

Shyrefes, Baylyffes, Constables & all  
other head offycers and euery of them fin-  
dyng or knowyng any person vsyng or ex-  
ercysyng any vnlawful games cōtrary to  
the statute, haue ful power to commit eue-  
ry such offēder to Ward there to remain  
with

## **The Office of Shyffes.**

Withouth bayle or mainpryse to suche tyme  
as they so offedyng be bound by oblygacyō  
to the kings vse in such summes of mony  
as by discreciō of the sayd Shyffes, or other  
officers shalbe thought reasonable, & they  
from henceforth shal not vse any vnlaw-  
ful game. an. sexto. Hen. oct. capi. secundo.

If any impotent parson beg wythin a-  
ny other place then within such lympttes  
as he shall be assygned, the Shyffe and a-  
ther of the Kynges offycers shal by theyr  
discrecyon punyssh such persons by impy-  
sonmente in the stocks, by the space of. 2.  
dayes and two nyghtes geuyng the bread  
and water only, and after that cause them  
to besworne to retourne agayn to y place  
where they be lycensed to beg. Anno. 22.  
Henrici. 8. capitulo duodecimo.

The iusticer of peace vpo informacon,  
or presentment made agaynst any Town-  
shyp for none exccuting of thys acte, shall  
make proces by distres against the inhabi-  
tantes of the towne, and therby the Shyffe  
shal distreyne the goodes of one or two of  
the inhabitantes of the towne as he maye  
know for negligent in the towne & retaine  
the distres tyl he fynde surety to appeare  
at the sessions before the iusticers.

And vpon the retourn of the Shyppe of  
the



### **The office of Shyryffes.**

the distres if the persō appere not, thē eue-  
ry such person to lose. xl. d. .t the firste dys-  
tres, and at the second distres. vi. s. viii. d.  
vpon hys defaulte and so to be doubled at  
euey distres tyll apperaunce be had.

Shyryffes that haue custody of Cayles,  
shal make seales to be grauen w<sup>th</sup> the name  
of y<sup>e</sup> castell that he kepeth for to geue, and  
seale wryttes to prisoners acquitted to beg  
for theyr fees within y<sup>e</sup> hundreth wher he  
is deliuered by. 6. wekes. next after his de-  
liuery, & then to go to the hundreth wher  
he last dwelled by. 3. yere, or wher he was  
borne. The Shyrife shal not suffer any such  
prysoner to beg for hys fees, nor to depart  
but to do service and labour, til that he de-  
liuer hym such letter and the clarke of the  
peace to make the bryefe wythin one daie  
after the sessions vpon payne of twelue  
pens to the King. Anno. 22. Henrici. 8. Ca-  
pitulo. 12.

For destroying of Crows, rakes and  
Choughes, it is ordered that euery person  
hauiing any maners, lands, and tenements  
in theyr manurance, shal do as much as in  
him is reasonable to kill & destroye y<sup>e</sup> same  
Crows and Choughes, and Rakes brea-  
dyng or abiding vpon his landes or tene-  
mentes, vpon paine of a greuous amerci-  
ament

## **The office of Shyryffes.**

ament to be set. And yf the offence be wthin the Limittes of Letes, or courte barones then to be set by the Stuarde wyth two of the presentours by the Stuard and presentours to be named vpon the presentment found and presented, and to be reasonable assessed after the quantiti of the offence. And the amerciamēt to be to the lord of the law day, and yf any person be lord of such manours, or inhabyte there: where vnto any such lawdaye, or rape is belongynge then vpon a presentment had before the Shyrife in hys tourne wyth two of the presentours to be chosen by the presentours shall cease the sayde amerciamēt by theyr discrecion to the vse of the Kyng, and be leuyed by dyssres. Anno. 24. Hen. 3. capitulo. 10.

And the Shyryffes in theyr turnes shall geue in charge to the tenautes and inhabitautes appering before them that they shall duely enquyre, and put in execucion the effect of thys acte.

Shyryffes shal hold theyr courtes from moneth to moneth. And wher greater tie is wont to be, greater shalbe, Magna Carta. Ca. 33.

The Kyng commaundeth that Shyryffes and theyr offycers whych receyue hys dettes shall acquyte lawfully the dettours at the

### **The offyce of Shyrriffes.**

the next accomptes after y they haue receiued the det, and then it shalbe allowed at y Escheker, so that it shal not come in the somons after. And if y shy: pfe do otherwys and be attaynted thereof, he shal rendre thze tymes so much as he hath receiued, & shal make syne at the kynges wyl. And if another do it, so: whose hand he is answerable at the Escheker, he shal rendre the treble therof to the plaintife and shal make syne in the same. And the shy: pfe shal make tayles to all theym that haue payde hym the kings dets. Westminster p:imo. Capitulo nono.

Concernyng Shyrriffes and other which haue leuyed the kynges dette, and make tayles o: other acquitaunce to the dettour & discharge him not, it is agreed that whe the shyrriffe is impledid therfore in the Escheker by the detter, if he come not at y distress, the shal another distress be awarded returnable at a certain day wherein it shal be commaunded y proclamation be made in the sul county, that the defendaunt shal come in by a certain day to aquite the dettour of the sum, so: which he made hym y acquitaunce o: tayle, at whiche if he come not in, & the wyrt be returned and the proclamation certified, he shalbe holde couit and



### **The office of Shyryffes.**

and the det shall be leuyed of hym, in lyke maner as det recovered agaynst hym in the kinges court, & damages shalbe awarded to the playntyfe accordyng to the discrecyon of the Barons. 14. Edwa. II. in the estatute of Attayntes in the last Cha.

The kyng commaundeth that all shyryffes, and Baylyffes which haue receiued hys deltes, of the somons of the Eschekers whych acquyte not the dettours vpon the next accompt, shalbe punyshed accordyng to the estatutes made. Dystriffes of the Escheker. Capitulo quinto.

It is ordeyned that execucion of wypts whych come to the shyryffe be made by the hundreders known and sworn, and in the full county and not by others if it bee not for great scarcite of hundreders. For the it shalbe done by other persons conuenient & sworn. The statute of Lincoln y last cha.

Shyryffes shal not be charged with the lueying of any issues, nor shall leue anye, before they come out of the Escheker by extreates ther to be lenied. And if percase any shyryffe return issues vpon any recognitor, pledge or manucaptor, by hi assessed & returned into our courte, whiche to the paymet of the same issues or amerciamentes at y time of the retgurne was insuffycent,

### **The offyce of Shyrliffes.**

clent, the same Shyrliffe shalbe charged there-  
wyth at the Eschequer, and shall make pay-  
les to all peysones of al maner of thyngs by  
hym receyued, and shall not retourn anye  
where the names of manucaptors. Jur-  
rours or other, except it be accordynge to  
the tenoure of the wryttes to the directed  
nor shal retourne the names of pledges of  
fremen any where onles they haue mani-  
festly confessed them selues pledges. The  
Statute of Fines. Capit. ii.

No Shyrliffe, Coroner, or other the kings  
ministers shal take no reward for doynge  
hys office, and if he do, he shal pay the dou-  
ble, and shalbe punished at the kyngs wil,  
but shalbe payd of which y they take of the  
kyng. Westmi. i. Capit. 26.

Shyrliffes shall not suffer any barretoure  
or mayntaynour of matters win his counti  
neyther stewardes of great lordes or other  
(which be not attournes to their lordes to  
do their sutes) nor to syt vpon the iudgme-  
mentes of the countye, nor to pronouance  
them excepte he be therto requyred of all  
the sutors and attornys that shalbe therc  
at the same tourney. And yf he do the con-  
trary, the kyng shall take it greuouslye to  
the Shyrliffe, and the offendour. Westmyn-  
ster primo. Capitulo. 31.

## The office of Shyrifes.

It shalbe lawfull for every Shyrife, Justicer of peace and Eschequer to cease to þe kinges vse al such goodes and cattels that such persons as come within thys realme (that be called Egyptians haue) and therof to make accopt to the kyng in his Eschequer, and to retain and kepe þe moite therof to hys owne vse, & accompt for the residue, and to pay no fees for the accompt nor for his discharge therof.

In theese statutes it appcareth what thing þe Shyrife ought to do by reaso of his office, and that he ought not to take any thing for doing his office, but onli þe which is appoynted to hym by the same statute.

And if he do or take any thing otherwise it is extortion, which ought to be enquired vpon by Justicers of the peace, and þe Shyrife shalbe punished therfore.

And if any Shyrife do anye extortion to the people, and be duely attaynted therof, he shal straitlye bee punished therfore, at the pleasure of the kyng. Anno. 1. Henry. cl. 4. Capitulo. 9.

Shyryffes may, & are bound to enquire of comon annoyances don to all maner of the kynges subiectes, but not of assaults made vpon any pryuate person for that is but a partyculer offence, by Martyn. iiii.

C.

Henry.



**The office of Shyryffes.**

**Henrici sexti.**

The Shyryffe must kepe his turn wylth-  
in a moneth after Easter, & wylthina mo-  
neth after the feast of s. michael. And if he  
kepe it at any tyme after the moneth of þ  
sayd feastes it is voyd by the statute of an.  
31. Ed. 3. Ca. 19. And all inlitementes, and  
presentmentes there taken after the same  
tyme be voyde.

Blodshed shalbe enquired of, in þ Shy-  
ryfes turne, because it is an article that is  
to be inquired of in a Lete. Al letes be de-  
riued and taken coute of the Shyryfes turne  
in so muche that for default of enquiry in  
letes of thynges enquirable there, þ same  
thyngs there omptted ought to be enqui-  
red of in the turnes of Shyryffes. 3. Ed. 4.

And all the Justicers sayd that the Shy-  
rife in his turne hath authorite to enquire  
of all thynges that be trespass, or felony by  
the cāmon law (except the death of a mā)  
but of trespass or felony made by estatute,  
the Shyryffe in hys turn hath no power to  
enquire of. H. 28. Edwardi. 3.

And if the Shyryffe in hys turn inquire  
of Pulfances, that should be enquired of in  
the Lete of another, and the same be found  
yet may he not distrayne for the amercia-  
ment of such a presentment. For if he do he  
is

## The office of thyrifes.

is trespassour. But if there were a default in the lord of the lete that he wold not inquire, or fynde the same, when he oughte to haue enquyred therof, in this case it seemeth that y<sup>e</sup> thyriffe in hys turn may enquire of it in default of the lord. m. 28. C. 3. And if one haue a fair or market by graunt or prescription, and kepe not hys fayre or market as he ought, the thyriffe ought to inquire therof in hys tourne. 22. Hen. 6.

Upon a presentmēt of Pusance in the thyriffes turn, the party shalbe amerced there by the thyriffe, which may distrayn for the amerciamento. And if porpessure be presented there the thyriffe may abate the same, and resourne it. Id. 26. C. 3.

Also it appereth bi the boke of Wretō that vnto y<sup>e</sup> turne of the thyriffe ought to come al the freholders of the hūdred, and other land, tenants (clerkes, men of religion and women only except) where as the thyriffe shall cause. 3. of the moste sage and sufficient persons of the hundred to be sworne. And then shall all the respoue be worne by doings & by the toynes, whych shall make theyr presentment to the fyrr. rii. Furours, vpon the artycle wherwith they shalbe charged. And it semeth that y<sup>e</sup> thyriffe ought to hold hys turne in euery

The office of Shyreffes.  
hundred wythin the county.

What thinges be enquiryable in the  
Shyreffes tourne.

**F**irst, they shall enquire if there be any  
mysdoer in the hundred of whome a-  
ny standeth in dout of lyfe or lymme,  
and what is hys name.

Also they shall enquire of all mortal e-  
nemyes to the king, the Quene, theyr chil-  
dren, or counsellors, of counterfayting the  
kinges seale or hys mony, of mansleas &  
murderers, burners of others corn or hou-  
ses feloniously, of Burglours, of robbers,  
of theues, of outlawes, of those that haue  
abiured the Realme, and come agayne, of  
Sorcerers and wytchers, of miscreantes, &  
heritikes, of traytours, and of popsoners,  
of cutters of purses, of Usurers, of vitay-  
lers, bying and sellynge, wittinglye stole  
flesh: of them that wittinglye make white  
the skyns of beastes stolen, of redubbours  
that wyttynglye bye stolen clothes & dresse  
them into another facyon, of treasure hid  
in the ground, hues and cryes wrongfully  
or ryghtfully leuyed & not pursued or wa-  
ters stopped strayghtened or turned, of  
boundes pulled vp or wrongfully chaun-  
ged, of walles, houses, gates, marle pittes  
dytches, or other diuurbances made or  
leuyed



## The office of Shyffes.

leuyed vpon any common way to the annuallance, of petie bzibours, y<sup>e</sup> there thepe to haue the wol, of such as take theskote, & of those that haue made a pryson of their own house or household, of pound breache, of trespassours in parke, & poundes, of takers of other mens doues, of the assise of bread and ale broken, of them that by and sel by mesure agayn<sup>st</sup> the assyse, of chaunce medleys, of conteckours, of bloudshed, of watches vnkept, of the kings high wayes not enlarged, of those y<sup>e</sup> haue kept appeachours in any other pryson then y<sup>e</sup> kynges or any other felon aboue a day & a nyght, of newe liberties, customes or iurisdiccions vsurped since the last turn on water, or on land, of weyffes, of wreckes, of the fe found and kept away, of bridges & caulceys broken, and who ought to repair them, and of those that clayme fraunchises, or iudgmetes realles, and of all those of the age of .12 yeares gone oute of the hundred, whyche be not come into the tourn (except Clerkes, knyghtes theyr chyldren and wyues, whyche be not in dosyns) of vagaboundes by the country, whyche are of no mannes retinue, of whome there is anye euill suspicion of leud demenour.

And when tee towncs haue genē theyr

## The Office of Shyryfes.

berdits to the first Jurours, the immediately shall the first Jurours goe and geue vp their presentment such as they will abide by. And the presentment of felonyes they shall shew pryuely, and the other openlye  
Bretan. li. i. fol. xxxviii.

Now must ye inquire further if Bayllife of liberties and fraunchises, haue duly done their office which resteth in. 3. poyntes, whych is þ they truly execute the preceptes whych be dyrected vnto the accordyng to the tenours of the same, and that they make due answer and return to the shyryfe of the same preceptes, and that he take nothyng for doynge his offyce but onely the fees to him, & due appoynted by the course of the law. And what fees they shal take, & what thyng they ought to doe by reason of theyr office shal appeare more playnly here folowynge.

## The Offyce of Bayllyffes of lybertyes.

**V**pon a precept made by þ shirife to a bayllife of liberty vpon a writ of distress dyrected to the shyryfe too dysfrayn þ defendaunt in the same writ, or þ Jurours in any inquest, the baillyfe must retorne good and sufficient issues vpon þ defendant, or vppon the Jurours yf they haue

## **The office of Shyppes.**

haue sufficiente goodes or landes wythin  
hys Baylywke, and if he do not the plain-  
tife in the accion shal haue an auerment. y  
he myght haue returned greater yssues,  
yf the defendaunt make default, or the sur-  
roures by the statute of. i. E. iii. Capitulo.  
v. And iustycers of the peace must inquire  
if the Bayliffes haue done theyr offyce in  
that poynte.

Also they must inquire if bayliffes of li-  
berties whych be keepers of any gayle en-  
force any of theyr prisoners to be appellers  
to the extent to haue a fyne of the partyes  
appealed for doubt of imprisonment, pri-  
mo. Edward. iii. Capitulo. vii.

Baylyffes of lybertyes whych take in-  
ditements in theyr turnes, or other wher  
ought to take them by indenture, wherof  
the one part shal remayne wyth the indi-  
tours, and the other wyth the Bayliffe. ii.  
Edwardi. iii. Capitulo xvii.

None shalbe made bayliffe of liberties  
except he haue sufficiente lande in the place  
wher he is minister, to make answer to  
the kyng & hys people. 4. Ed. 3. Capi. ix.

Bayliffes of liberties whych be iailours  
and haue the keepyng of prisens oughte to  
receyue & safely keepe al thynes deliuered  
to them by the Constables of the townes,



## The Office of Shyffes.

beyng indited, taken with the manner, or  
appealed of felony without taking ought.

4. Edwar. 3. Capitulo. 10.

Bayliffes of lybertyes muste receyue  
such persons as be arrested in theyr fraun-  
chyse by the Constables, for suspicion of fe-  
lony, that walke in the country by nyghte,  
or be of evil name, & shal kepe the in prison  
vntil the coming of the Justicers of iayle  
delyuer, and in the meane tyme the bayl-  
iffe must enquire of the. 5. Ed. 3. Ca. 14.

Bayliffes of liberties, Constables & o-  
ther officers of townes wher loyterars &  
vagaboundes resorte haue power to exa-  
myne them diligently, and compell the to  
fynde surety by suffycient maynpernours  
being discrepnable of theyr good behauior.  
And yf any defaulte be founden in y same  
loyterars and vagaboundes, and can not  
fynde surety, they shalbe sent to the nexte  
Iayle there to remayne vntyl the comyng  
of the Justycers of Iayles deliuery which  
may do w the as they shal thinke best by y  
couise of the law. 7. Ryck. 2. capitulo. 5.

No seruaunt or labourer at the ende of  
his terme shal depart out of the hundred or  
kape where he is dwelling to dwell any  
other where onles he bryng a letter patēt  
conteynyng the rase of hys goynge vnder  
the

## **The Office of Shyffes.**

the kings seale thereto assigned. And if any seruaunt laborer be found vagarant with out such letter, he shalbe taken forth by þe Shyffes, Mayres, bayllyfes or other officers: & put in stocks vntyl he finde surety of retourn to the town to serue fro whēce he came, vntyl he haue such a letter to depart for cause reasonable. 12. Ri. 2. Ca. 3.

Bayllyfes of lyberties haue power to arrest seruauntes and labourers þe weare daggers, swordes, & kniues: & the to seale & kepe vntil the sessions of the peāce: and the weapēs to present to the Justicers therw the name of them that bare them, and the weapōs shalbe forfayt, except they be tra- nailing in the counry with their mayster or theyr landes or busynes. 12. Rich. 2. ca. 6.

Shyffes and bayllyfes of lyberties in theyr liberties are bounden to receiue ser- uauntes and laborers beggyng and vaga- ront, and the to deteyn in pryson wythout bayle: wythout takyng of any fee or other thing of them at their entre or departing by the selues or by theyr deputies vppon payn of. C. s. to the kyng. xii. Ric. ii. Ca. ix.

Bayllyfes of liberties to whom the ke- pyng of the assyse of bread and ale, and the coꝛrection of the same belongeth, shal take no amerciamēt nor fine for no default tou- chinge

### **The offices of Wherryffes.**

thyng the sayd assyse for whych the offence ought by y<sup>e</sup> law to haue corporall penance, but they shal iudge them to y<sup>e</sup> same penaunce. And Baylyffes of lybertyes, & all other that haue the keepinge and ouersyght of vitailles shal put in due execution y<sup>e</sup> estatute made in the. 23. yere of Edward the thyrde whych beynneth. Quia maior pars populi. &c. 13. Richar. 2. Capit. 8.

Wouchers, Kythens, Hostellars, Butchers, Bakers, Vulters, and al other sellers of vitailles, are bounden to sell suche manner of vittailles at a reasonable pryce, hauyng regard to the pryce wherat such bytailles are solde in other places neare, so y<sup>e</sup> they may haue a competent gayn and not excessive accordyng as by y<sup>e</sup> distance of the places (fro whēce the vittailles are caried) they shal thynke resonable to be required. And if any sel bytays in any other maner and thereof be conuicte, he shal paye the double of that he hath receyued to y<sup>e</sup> party endammaged, or in hys defaute to any other that wyl sue therfore. And maires & Baylyffes of townes. &c. haue power to enquire of al such as offend against this ordinance in any poynt. And in case that y<sup>e</sup> same Mayres, and Baylyffes be negligēt in doyng executiō of the premises, & ther  
vpon



## The Office of Shyffes.

Upon be convicted by the Justycers assign-  
ned by vs, they shal be compelled by the  
same iusticers to restore y triple value of  
the thyng sold to the party greued, or to  
any other that in vs default wyll sue and  
neuertheles shalbe greuously punyshed a-  
gaynst vs. 24. Edward. 3. Capi. 6.

No Stuard, Bayllyffe, nor other mini-  
stre of Lordes of fraunchises whych haue  
returme of wypts shalbe atturney to anye  
person in any matter within y same frau-  
chise or bailwike wher vs is officer at any  
maner of tyme. 4. Hen. 4. Capitulo. 19.

If any heynous ryot be made, the Just-  
cers of the peace, and the shyryfe or vnder  
shyryfe ought to do theyr office accordyng  
to the statute made. 13. H. 4. And if they do  
not, at the sute of the party greued a com-  
myssyon shal go forth to inquire thereof, &  
of the default of the iusticers and the shy-  
ryfe, and the coroner shal serue the proces,  
and he must return persons that haue lād  
to the pearelye value of. 10. li. and shall re-  
turne also. 11. s. in issues at the fyrst daye,  
and. 11. s. at the seconde, and at the thyrde.  
C. shyllynges and so double it at euerye  
daye after. And if defaute be in the Coro-  
ner in returnyng the issues, or of persons  
of suche lands, he shal lese. 11. li. And yf the  
glde

### The office of Shyryffes.

old Shyryffe be dyscharged, the newe Shyryffe shall serue the proces, and not the coroner vpon payn of. xl. li. yf the default be founde in hym, touching the retourn of other persons by hym impanelled whiche haue not landes to the yerely value of. x. li. or to returne such yssues as the Coroners be charged wyth. And Bayllyfes of lybertyes are bound for to impanel sufficient persones, as aboue is sayd vpon payn to lese. xl. li. in case that such persons may be found wythin hys baylwyke. 2. Hen. 5. Capitulo viii.

Bayllyfes of franchises ought to make theyr retournes, and answers vnto y Shyryffe vpon hys precept made vnto the in a spycial wyrt of assyse. 6. dayes before the day of the sessions, vpon payn to forsayte. xl. li. for euery tyme that they shall dos the contrary. 6. Hen. sexti. Ca. secundo.

Where a precept is made to the Shyryffe by iustycers of the peace to returne a panel to inqyre of forcible entre, and he sendeth hys precept to the bayllyfe of the lybertye to returne the panel bycause the ryot was done wythin the lyberty, now is the bayllyfe bounden to make due retourn and execution of the preceptes to hym dyrected, vpon payn of. 20. li. for euery default. And the statute wyll, that the Shyryffe shall retourn

## The office of Baylyffes.

fourne, 20. s. in issues by every Jurour at the fyrst day, and that every Jurour which shall passe in the enquyre shal spende. xl. s. wherbi it semeth that baillyffes of liberties are bounden to do lyke wyse, if so manye of the sayd Jurours be wythin hys libertye for els he is not. viii. Hen. vi. capitulo. ix.

Baylyffes of libertyes in attaintes by plea of land of the yere ly value of. xl. s. or more nor in attaintes for dedes concerning landes of like value, nor in attaintes upon personal actions wherin þe recovery extendeth vnto. 40. li. or more shal not retourne or impanell any persons in such inquestes, but those þe be dwelling wythin hys baylywke, and þe haue estate to their owne vse in landes or tenementes for terme of lyfe to the yere ly value of. 20. li. or more wythin hys baylywke out of auncyent demesne and the fyue portes. And at the fyrst day of the dystris retourned shal retourn no les issue in such accyons of attaynt then. 40. s. and the second dystris. c. s. and the double of every other dystris upon the persones so impanelled and retourned. And if he do the contrary, he shal pay. 10. li. to the king and as much to the party. 15. Henrici sexti capitulo quinto.

Baylyffes and other the kynges offy-  
cers



### **The statute of Shirlkes.**

**Shirles** may arrest those souldyers that come from the sea, & shew not letters testimonials from theyr captaynes that they haue licensed them. And they shal kepe theym vntill they haue inquryed whether y they had lycense or not, and if thei haue no such lycense, then shall they be punished as felons. xxviii. Hen. vi. capitulo. xix.

**No** Bayliffe of a liberty vpon any precept to hym dyrected to retorne the panel of any enquest) shal in the same returne any baylyfes, officers or seruantes to any officer aboue sayd, nor shall take any thyng by them self or by other of any persone by them arrested or attached to theyr own vse or auayle, nor if any other persn for any arrest or attachmēt bi the body made by the or that is arrested by vertue of their office for fine, fee sute of persn, mainpris, letting to bayle of the wyng of any ease or fauour: to any person so being arrested for their reward or profite, but as is here lymptted, y is to wete for the shyriffe. xx. d. the bailiffe y maketh the arrest. 4. d. & to the iaylrous if the prisoner be committed to hym. 4. d. And no baylliffe of any libertye, nor Coroner by hym self, nor by other by colour of his office shal take any thing for y making of retourne or panell, and for the coppe of

**The Statute of Wynter.**

a panel but. 4. d. And bailiffes of liberties shall let out of pryson all prysoners by the arrested or beyng in theyr keepng by force of any byll, wyrt, or warrant in any accion personall, or by force of any inditement of trespass, vpon reasonable surety haupnge sufficient within the baylewike wher thei be let to bail, to kepe their daies in y same places as the same byl, wyrt, or warrante shal requyre, those onli excepted, which be in ward vpon any condemnacio, or be excommunicate, or outlawed, or arrested vpsurety of the peace, & vagarantes that refuse to serue. And that the sayd baylliffes shal not take any obligacion of any person nor by any persō beyng in theyr wards by course of the law, for any the causes aboue reherfed, but in the name of theyr office & vpon the condicio that the same persones shall appeare at the dayes contrayned in y sayd wyrttes, bylles, or warrantes, and in such places as thei require. And if ani bailife take any obligacio in ani other forme, by coloure of hys offyces, it shalbe voyde, and y he shal take no more for the making of any such obligacion, warrantye, or precept bi them to be made, but. 4. pens. And if they do contrary vnto this ordinaunce in any poynt, so: so doyng they shal render to the

### The offyce of Shiriffes.

the party greued his damages treble, and  
shal forsayt for euery time that they doe y  
contrary. 40. li. y one half wherof shal be to  
hym that wyl sue in any of y kynges cour-  
tes therfore. 4c. 23. Henr. 6. capit. 10.

Bayliffes of liberties ought not to cease  
the goodes of any persō arrested or impri-  
soned for felony, before that thei shalbe cō-  
uict or attaynted of y same felonye accor-  
ding to the law or els that the same goods  
be otherwyle forsayted, vpon paine to for-  
sayt the double value of the goodes so take  
vnto the partys endamaged, supng ther-  
fore by accyon of det, wherin no wager of  
lawe, eskoyn, nor proteccion shall in anye  
wyle be allowed to the defendaunte. i. Ri-  
chard. ii. Capit. iii.

Bayliffes of liberties that be gaylers  
and haue the keepng of gayles shal certify  
the names of euery prysoner in his gayle  
that is ther for felony, at the next general  
gayl deliuey in euery coute, or frauchyse  
(where such gail is) to be kallndred before  
the iusticers of the same gayl deliuey, vpo  
payn to forsayt for euery default there re-  
corded. C. 8. Anno. iii. Hen. vii. Cap. iii.

All bayliffes & other head officers and  
euery of them fyndyng or knowyng anye  
person vsyng or exercysyng any vnlawful  
games



### **The office of Shyryfes.**

games contrary to the statutes, haue power to comit euery such offender, to warde, and there to remayne in prysen, withoute baple or maynpysle, tyll suche tyme as he be bound by obligacyon in such sum as by discretion of him that taketh the bonde seemeth resonable, to the kynges vse, that he shall play no more. An. vi. Hen. viii. ca. ii.

All statutes made agaynst shyryfes, vnder shiriffes, bailliffes, or other ministers for making & returninge of panels, or Juries, or for due executiō of seruing of writs or other procelle, or for takyng of fees, or for the reformation of extorciōs, or for any other thyng concernyng theyr office, & al paynes contayned in euery such statute shalbe extended to al stwardes, baillifes, and other ministers and officers of libertyes and fraunchyses hauyng retourne of wyttres and execution therof, in like manner as they ertēd to shyryffes, their vnder shyryfes, baylliffes, or other ministers, sauving y the baylliffes & officers of liberties may occupy their offices for as lōge tyme as they shalbe geuen vnto thē. Ann. xxvii. Henrici octauī. Capitulo. 23.

### **The offyce of Eschetours.**

## The office of Eschetours.

**Y**e shall inquire of Eschetours, if they haue duely executed theyr offyce, & if they haue taken any more for doyng therof then they ought, or if they haue committed & done any extortion, or oppressing vnto y<sup>e</sup> kinges people by colour of theyr offyce. And therfore ye shall vnderstand y<sup>e</sup> no eschetour ought to meddle or enquire for the kyng but in case wher the kyng of right, ought to be entiteled, & haue y<sup>e</sup> lād or thing y<sup>e</sup> is sold for him by the conquest, for if one hold of the king as of hys Duchy of Lancaster by knyghtes seruyce, & by hys heyre being wythin age, the kyng oughte to haue the ward of the heyre, and the lād. And yet in y<sup>e</sup> case yf the Eschetour finde it by offyce, he shall haue nothyng for y<sup>e</sup> fine doynge therof, because the tenaunt held not of the kyng in chief, as of hys crowne.

And therfore the kyng may entre & cease the land and the heyre without office, and may graunt it. In like maner, if the eschetour fynde by offyce that one died ceased & held of other Lordes and not of the kyng by knyghtes seruyce, and that he is dead & hys heyre wythin age, the Eschetour shall demaund nothyng of ryght, for synedynge of such an office. And so if he find an office that one dyed ceased of such a maner in fee  
and

## The office of Shyryfes.

and helde of the kyng as of such an honor  
or castel by knyghtes seruyce, & hys heyre  
within age, yet ought not the Escheatour  
to haue any fee or duty for the fyndyng of  
that office, & if he take anye thing therfore  
it is extorcion, whyche is wel proued by a  
wryt of (diem clausit extremū) the wordes  
wherof be these. Quia Georgius Rex. qui  
de nobis tenuit i capite die quo obiit, diem  
clausit extremū, ut accepimus, ideo tibi pre-  
cepimus. &c. Wherby it appereth yf one  
hold not of the kyng in chiefe, the eschea-  
tour oughte not to haue yf fee of .xl. shillyn-  
ges for fyndyng of yf office. And if he take  
it in that behalfe, it is extorcion.

And in assise if the defendaunt say that  
the landes are leased into the kynges han-  
des by the Escheatour, and the Escheatour  
beyng there present and examined by the  
iusticers therupon do confes that he hath  
leased the landes into the kynges handes,  
where in dede he hath not so done: in this  
case the Escheatour dothe wronge to the  
playntype, whych may haue an accyon vpon  
hys case agaynst the Escheatour for hys  
falsshed, and for yf delay that he hath sustai-  
ned thoroow that confession by suppyng to the  
kyng for a (Precedendo).

None shalbe subeschetour, onles he haue



## The office of Shyreffes.

sufficient landes in those places where he is offyccer to answere to the kinge and his people, in case that any wyl complayne agaynst them. Anno quarto. Edwardi tercii capi. 9. Anno. 5. eiusdem. Capi. 4.

The Eschetours shalbe chosen euerye yeare as the Shyreffes shal be and by the same persones that chose the Shyreffes. And that no Eschetoure shall abyde in his Offyce above one yeare. An. xiiii. Edwardi tercii. Capi. 7.

The Escheatours shall not do waste in Byshoppykes, and other places durynge y<sup>e</sup> vacacyon of them, neyther shal sel vnderwodes, nor chase in parkes or warrës, nor fysh in pondes, or free fyshynges, nor may take no fynes of any tenementes free nor bonde but shal cause them to be kepte and saued wythout doynge damage or any manner of oppression. An. 24. Ed. 3. ca. 4.

So by this statute it appeareth that it apperteyneth to y<sup>e</sup> office of an escheatour to cease the tēporalytycs of Archebyshoppykes, byshoppykes & abbayes of the kynges foundation, durynge the vacaciō of the same, and take the profites, & to accompte for them to the king in y<sup>e</sup> escheker. Now be it there is an other Estatute made in the same yere, the effect wherof is, that if the  
Deane

## The office of Shryffes.

Deans and chap. By your or supp: your wil take temporaltyes to ferm, paying the value accordyng to the remembraunces in y<sup>e</sup> Eschequer, that they shal haue them before any other. And by an other estatute made the same yere. Capitu. quinto: the chauncelour, treasurer of the Eschequer takyng to them such other of the Counsaile, as they shall thynke good, shal lease the vagations of Archbishoprykes, bysshopykes, abbeyes, Priories, and other houses of religiō (the a- uoydāce wherof belonge to the kynge) the Deane & chapi. By your, or Supp: your, By your or Supp: yours, & Couent at a certaine rēt to pay by the yere quarter or moneth, duryng the vacaciōs as they shall thynke best, wythout makyng syne. And nether y<sup>e</sup> Escheatour, nor any other officer shal seke cause or mater, to entre, or to medle, or do any thyng in pzeiudyce of the church. Sa- uuyng to the kynge and his heires, knyghtes fees, aduousons, Escheates, wardes, mari- ages, relveses and seruyces to y<sup>e</sup> sayd fees belongyng. In wytnes whercof the kynge caused his letters patētes to be made ther of dated at W<sup>estm.</sup> y<sup>e</sup> eyght day of Apryll the yere aboue mencioned, wherby it ap- pereth y<sup>e</sup> the auctoritie aforesayd to make leases was geuen to the chaunceler: & the

D.iii.      treasurer

## The Office of Chyrces.

Treasorer by the kynges letters patentees  
et. Anno. 14. Ed. 3. Ca. 6.

Theschetours & other y<sup>e</sup> kyngs ministers  
muste make acōpt in thescheker after this  
maner, y<sup>e</sup> is of landes & tenementes wherof  
profyt ariseth from tyme to tyme, throug  
oute the yere as of Wylnes, herbagis, tol  
plees, profytes of courtes, or such other is  
sues and profytes, they shalbe bounden to  
answer the kyng for the rate and value of  
y<sup>e</sup> tyme accordinge to the old course of thes  
cheker. And touching aunciente fermes &  
rentes, that are to be payd at certayn ter  
mes as rent secke, & ret service, wherof no  
profyt aryseth vntyl the day of payment:  
such rentes and fermes shalbe payde vnto  
them y<sup>e</sup> haue liure therof out of y<sup>e</sup> kynges  
hand at the termes of payment of the sayd  
fermes & rentes next folowing such liure  
made, aswel for y<sup>e</sup> tyme past, as y<sup>e</sup> tyme to  
come an. 29. Edwar. 3. cha. 4.

The kyng and hys progenytours haue  
bene ceased of forsaures of wards, time  
out of mynde that is as wel of landes and  
possessions as of goodes & cattels. And by  
colour therof theschetours by theyr offyce  
haue ceased many lades, and tenementes,  
as forsaures to the kyng, formysinge trea  
son in some persons beyng dead at y<sup>e</sup> tyme  
of



## **The office of Shyppes.**

of the ceaser, whych neuer were attainted in theyr lyues, the king hath ordained touchyng such forsaytours that fell in þe tyme of his graundfather, or befoze that so sone as an inquest therof shalbe returned into the chauncery by any Eschetour or other þe hath power to enquire therof, the tenaunt shal not be put out of possession, but shalbe warned by a Scire facias, to appeare at a certain day for to answer vnto the same yf he wyll, and yf no suche forsaytoure be founde the kynges hande shalbe closed, so that in al other cases of forsaytours of treason by persons deceased nor attaynted, nor iudged in theyr lyues, theyr heyres nor lād tenauntes shal not be chalēged nor impeched of any other forsaytours, but of those only that haue bene iudged in tyme passed afore the death of certaine persons by presentment in Eyre in the kynges bench, as of felons of the kyng and other. And therefore it semeth yf one mone war agaynst the kyng in hys realme, and is slain in the same then theschetour may cease the landes and tenementes, as forsaytoure of war wout any other inquiry to be made therof. Every escheatour must take his enquestes of office of good and lawfull men sufficient of inheritaunce, and of good fame, and

## The Office of the Sheriff.

of the same countie where the enquire shal be made. And the enquestes shalbe indited betwene theschetours and the iurours, & if it be otherwyle done, they shalbe voyde, and they shalbe take in good to wonesapell

Trauerse may be taken to theschetours offyce, wherby any alpenacio oꝝ dyng sealed oꝝ that the heyre is within age, and the land holden of the king in chese is founde.

Landes sealed into the kyngs hādes by reason of ward shalbe kept without wast. And the escheatours shall haue no fe of benison, fysh, noꝝ other thyng, but shall answer the kyng of the issues and yearelye profits arysing of the sayde landes without waste. And if he do otherwyle, then to make fine at the kynges wyll, and to paye treble damages at the sute of the heir, as well wythin age, as full of age.

And if he be within age his frendes shall haue the sute for him, and wearynge to the heyre of that, that shall be so recovered of hym. Concernyng other landes sealed into the kynges handes by inquest of office by theschetour thys forsayd ordinaunce, and punishment shall holde place agaynst the eschetour. And yf any make clayme to landes so beyng sealed, theschetour shall retourne an inquest into the chaunceri with

## **The Office of Shryffes.**

in one moneth after suche sealer, so that a wyrt be deliuered to him to certify y cause of the sealer, and there shall the partye be hearde to traaverse the office, or otherwise to shew hys ryght. And the Chauncelour vpon hys owne dyscrecyon (yf he see cause) maye leasse the landes to the tenaunt paying to the kyng the value, yf it belonge to the kyng, so that he fynde surstye, that he shall do no waste vntyll it be adiudged.

And the Escheatours shall take theyr inquestes in good townes, and by honest men openly by Indenture to be made betwene theschetour and them of the enquest. And yf he do contrary to thys ordynance: the to haue two yerres imprisonment, and further to make fyne at the kynges pleasure.

Anno. 36. Edward. 3. ca. 22.

None shalbe Escheatour if he haue not 20. li. land at the least or more in fee, & that they execute theyr office in propre person. And if he be otherwise then to be put out, wherby it appereth that the subescheatour can not enquyre nor fynde offyce. An. 41. Edwardi. 3. Capitulo. 5.

Escheatours nor cōmyssyoners shal not take enquest, but by those that be impaneled and returned to the Shyryfe, and if they do otherwys and be cōuyct by examinaci-



### **The offices of Shyppes.**

on or otherwyle at the sute of the parti, or of the kyng, or any other person that wyl sue: they shal incur the payne of .xl. pound the moite to him at whose sute thei shalbe conuyce. And that no landes sealed into y kynges handes shal be let to serme bi the Chauncelour, vntil the inquest and verdictes be returned into the chauncery, and by one moneth after the same return, except it be to the party grieved whiche was put oute of those Landes by the inquestes, and wyl offer to traaverse them, and shew good eydence and fynde sufficient surety to sue his traaverse with effect, and to paye to the kyng y. perely value of the landes if it happen to be discussed for the king. And if any letters patentes of any landes or tenementes to the contrari be made to ani other person then to hym that offreth to traaverse, or be let to serme within a moneth next to y sayd moneth of retourne they shalbe voyde and holde for none. Anno. 8. H. 6. Ca. 19.

**E**schearours, and Commissioners shall return the enquestes taken befoze theym into the chauncery or in the Eschequer with in one moneth next after the takynge of y same vppon payne of .xx. li. the one moyte to the kyng, the other to him that wyl sue. Anno. 8. Hen. 6. Capitulo. 19.

**And**

## The Office of Shyffes.

**A**nd if anye Escheatour take any offyce befoze him, and do not return the same into the Chauncery or thescheker wythin y moneth next after the takyng thereof, he shal endure the payne of fortye pound forsayte by the estatute made. Anno. viii. henrici vi. and further shalbe bounden to pay to the kyng as much as he is endamaged by the not retournynge of the same. And that the Chaunceloure of Englande calling to hym the treasurer of Englande, maye lease suche fearmes for the due execucion of the sayde Estatute: Neuerthelesse it appeareth that the same estatute graunteth but twentye pounde of forsayte agaynst theschetour or commissioner. Therfore serche for the true record of both the statutes. an. 18. Hen. 6. Capi. 7.

**E**schcatours must take theyr inquest of office by vertue of the writs of *(diem clausit extremum)* and other wyttes within one moneth after the receyt of the same, & that suche inquestes be taken in good townes, and open places. And that none of the pryueyly nor openly by hym selfe or by other, take any thyng for the execucion of suche wyttes in one countie aboue the summe of 6.s.8.d. or 13.s.4.d. or vnder wyth hys labour and hys costes, for the same y he hath take

### **The office of Shyryffes.**

take altogether excede not aboue .xl. s. for y<sup>e</sup> execution of any such wyrt in one county. And yf he do contrary to the premiffes, the to forfayt the ſū of. 40. li. the mozte to him that wyll ſue for the kyng and hym ſelfe.

Anno. 23. Hen. 9. Capi. 17.

None ſhall be Elcheatour, yf he haue not landes or tenementes to the value of twenty pound wythin the county for term of lyfe, nor in y<sup>e</sup> county where he is elcheatour. Nor no elcheatour ſhal let his office to ferme, nor make deputy (other then he wyl at hys parcl answer for) (whole name he muſt certify by hys letters patentes to the Treasurour and Baros of the ſcheker for the tyme beyng wythin. 20. dayes after ſuch deputacyon made. And that no ſuche deputy take vpon hym to occupy in y<sup>e</sup> ſayde offyce vnles the elcheatour haue landes, tenementes or rentes to the yearly value of. 20. li. as befoze is ſayd. And if anye perſone do contrary to the premiffes or any of the, then to forfayte for euery default. xl. li. the one mozte to hym that wyll ſue, and the other to the vſe of the Kynges houſe by action of det, where no wager of lawe eſſoyne or protection ſhal lye. An. 12. Ed. 4. cap. 9.

No Shyryfe, Elcheatour, nor other perſon ſhal ſeale or take the goodes of any perſon arreſted



### **The office of Shyryffes.**

arrested or impysoned for felony before y<sup>e</sup> the same person so arrested or impysoned be convict, or attaynted of the same felony accordyng to the lawe of Englande, or that the same goodes shall be other wyse forfeited vppon payne to forsayte the double value of the goodes taken to the party damaged supyng therfore by accion of det, where no wager or law, essoyne nor protectiō shall lye. Anno. 1. Ri. 3. Cap. 3.

**I**f any Escheatour, or commissioner put in to any of the kynges courtes any inquisitiō or offyce concernyng landes or tenementes or other hereditaments not found nor presented by the othes of twelue men, & indented and by them sealed, then to forsayt for euery such offence returned, and put into any of the kynges courtes one. C. li. to the party greued. An. 3. Hen. 7. cap. 2.

**N**o escheatour nor other commissioner shal lye by vertue of any commission to enquire of landes and tenements, except he haue landes or tenements or hereditamentes to the yearly value of. xl. marke, ouer all charges vpon payne of twenty pound.

**T**he Escheatours and Commisyoners shalbe discharged by the othes, that they may not dispend. 40. marke ouer all charges, and that vpon proces made agaynst them

### The office of Sherriffes.

them out of thescheker. Theeschetours & Commissioners shall sit in open places, and shall suffer every person to geue evidence openly in theyr presence to the inquest taken before them vpon pain of. xx. li.

The Jury shall receiue the counterpane of the Indenture that shall be presented, indented and sealed by the Eschetour, commissioner, and to rest in y<sup>e</sup> possession of the first man that was sworn in the same Jury vpon payne of every person that shall be sworn, twenty shillings.

And every Eschetour and Commissioner after y<sup>e</sup> the Jury is sworn & ready to geue their verdict and offer to present the same, that the same Eschetours or commissioners or part of them shall receiue the same verdict without further delay, vpon payne of a. C. li. and deliuer the counterpayn of the same indenture to the Jury in fourme before sayd vpon the same paine.

And if the clearke of the petie bagge, or his deputy wyll not receyue such offyces, and put it into the fyles to remayne of record within thre dayes after it be receyued or offred to be receyued, he to forsayte for euery such default. xl. li. And y<sup>e</sup> commissioner & Eschetour to be discharged of the penalty of. xl. li. limited by the statute for none returnyng

### The office of Escheatours.

returnyng of the same offyces, or inquisition w<sup>th</sup> in one moneth.

¶ And lyke law and penalty to be agaynst the offycers in the kyngs Eschequer which ought to receiue such inquisition, for refu- syng so to receyue them. And the commis- sioners and Escheatours to be dyscharged of the penalty for none retournynge of the same inquisition, so made by the said esche- tours or commissioners at anye tyme after the moneth of such office before themfou<sup>d</sup> or before any of them within an other mo- neth then next ensuyng, returned the sayd offyce into the Chauncery, or eschequer, as the case shall requyre. And the clerke of p<sup>e</sup>tit bagge to certify the transcript of eue- ry such office taken before any commissioner or Escheatour, into the Eschequer the next terme folowynge the receyt therof, vppon payne of a. l. s. for every default.

¶ And no man be compelled to occupy the office of Escheatour by any patent ouer one hole yere, and that he that is once Eschea- tour, shal not be Escheatour agayne within 3. yerres next after y<sup>e</sup> sayd hole yere ended.

¶ If any Escheatour exercise his office bi reason of anye patent ouer the tyme of an hole yere ended, or be made escheatour w<sup>th</sup> in thre yerres after: then after the said hole yere



## The office of Shiriffes.

were ended, his patent so made to be voyd, and the party greued shal haue his recovery of euery of the sayd forfaytours of one hundred. li. by accpō of det, where no wader of law essoyn or proteccion be allowed. There be dyuers prouisiōns made for diuers Escheatours in cities and boroughes and in dyuers countyes.

¶ And if the landes or tenementes of any man be seased in the kynges hād by vertue of any offyce found before the Escheatour or Comysioner, or by reason of any other record found in the chauncery, or thesherker, and he that so is put out out of his lādes, by reaso of such record or office so found come and traucrs that record or office and it is found for him: wherupō he hath his iudgement, that the kynges handes be closed and amoued: now if so be that there be an other record or offyce found remaynyng amongst the kings recordes which is not traucrse nor tryed, yet shal not the escheatour sease the landes again into the kynges handes by reason of that record beyng founde not traucrse. And if he do, then dothe he wronge and extorcyon, & the party that is put oute shal haue assyse agaynst hym, and shal recover double damages agaynst him. But in this case the  
kyng

## The office of constables.

king must sue a (Scire facias) against hym that hath the landes out of his hādes vpon this other recorde oꝝ offyce, that was not trauerſed befoze. This is geuē by the ſtatute of Lincolne, called þ ſtatute of eſcheatours. Anno. r. r. Edwardi ſecundi.

¶ And if theſcheatour by colour of hys offyce wythout warraunt oꝝ aucthoritpe of the lawe that belongeth to his offyce, diſſeſſe any man of his lādes oꝝ tenementes: the party that is diſſeſſed ſhall haue an aſſyſe of Ponell diſſeiſon, and ſhall recouer double damages agaynſt theſchetour.

Westmin. i. Capitulo. r. r. vi.

¶ The eſcheatour hath no power to amercy any man that appeareth befoze hym, & myſdemeaneth hym ſelf, oꝝ if the Jurroures that be ſoncd appeare befoze do make default, he ſhal record ſuch thynges in his rolle, and ſhall not amercy the Jurroures, but he ſhall ſende the ſame recorde to the Juſticers in Eyre, oꝝ to the Juſtycers of aſſiſe, when they come into the countrey.

¶ It ſhal be lawfull to the ſhyrpe, Juſtices of peace, & Eſcheatoures to ſeaſe to þ kyngeſ vſe all ſuche goodes and cattelles that ſuch perſons as come within this realme, that be called (Egyptians haue) and thereof to make accompt to the king in his Eſcheatour.

## The office of constables.

her, & to retayne and kepe the mayte therof to his owne vse, and accompt for y<sup>e</sup> residue due, and to paye no fees for the accompte, nor for hys dyscharge therof.

## The Offyce of Constables.

**F**or as much as the office of a constable was an officie at the common law, of long continuance, and was first ordeyned for the conseruacion of the kinges peace to be had and kept in every town amonge the kynges subiectes there dwellinge, somewhat shalbe spoken. And how farre forth theyr power doth extend, and what penalties are provided against them, for not executing theyr offyces.

## Who were conseruatours of the peace at the common law.

**I**t is nowe sene for the conseruatyon of the peace, what persons by the common law had authoritie therein, before the making of the statutes whereby iustices of the peace are ordeyned.

And it semed that by y<sup>e</sup> common lawe diuers persons were conseruatours of the peace: for at the common law there was one persō which is called cheefe iustice of England to whō y<sup>e</sup> king committed his authoritie in the ministracion of iustice for things teuching his Crowne, and for the conuersaciō of hys peace



## The office of constables.

peace among his subiectes throughout all  
hys realme. And that is proued by þe wyrt  
whyche the kynge sendeth to him, that he  
shall hold his place in the ministracyon of  
iustice to his subiectes in the forme aboue  
sayde throughout all his realme, whereby  
it doth appeare that the same chiefe iustice  
is high conseruator of the peace throug-  
hout all the counties of England, and in eue-  
ry part of the realm wher he goeth. Also  
there be other persons conseruators of þe  
peace throughout the realme: as þe steward  
of England, the marshal, and the constable  
of England. Also the constables of euery  
towne were and be keepers of the peace by  
the comon law, lyke wyse the hyghe Con-  
stables of hundreds, wapontakes, lathes,  
or tythinges were and be conseruators of  
the peace by the comon lawe wythin the  
townes or hundreds, and wythin theyr li-  
mittes. And befoze the makynge of the sta-  
tutes wherby iusticers of the peace are or-  
dayned, the kyng by his commission made  
Conseruators of þe peace in those counties  
& places (where hym thought best) to kepe  
his peace, & the aucthorite whyche conser-  
uators of the peace had by the Common  
law, is the same aucthority that a Consta-  
ble of a towne or wapentake hath at thys

## The office of constables.

day, which I shal partly touche.

**I**f one make assault vpon the Constable the Constable may defend him, and maye take him, and commit hym to y<sup>e</sup> Jaille vntill he haue found surety to kepe y<sup>e</sup> peace, though that the assaulte were made vpon hym self. As it appeareth *Witcha: Quinto Henrici septimi*, in the tytle Barre. Much moze then if a constable se one making assault vpon a straunge persō, he may take him & comit him to pryso, or to y<sup>e</sup> Jaille, vntyl he haue found surety to kepe the peace.

**A**nd if one man threate another where vpon he that is threatened cometh to y<sup>e</sup> Constable, and sheweth hys matter, and prayeth hym to compell hym that so threatened hym to fynde surety: in thys case y<sup>e</sup> Constables and the party that is threatened may go, and compell hym that so dyd make such threatenynge to fynde surety to kepe y<sup>e</sup> peace, and yf he wyl not, they may comit him to warde vntyl he hath founde such surety as you may se. *W. xliii. Edwardi tertii* in the tytle of Barre.

**A**nd yf one be stricken in paryl of death, it is the offyce of the constable of the towne to arrest the offendour, and to kepe in pryson, vntyl it be known whether the party so stricken wyl lyue or dye vntil y<sup>e</sup> he haue found

## **The Office of Constables.**

found surety to appeare before the Justycers of gavl delivure, or at such time as he shall be called vpon to appeare before the Justicers at their discrecion.

**A**nd if one die for felony it is the office of the constable of y<sup>e</sup> towne to seale his goods and to kepe them, and if they hap to be im- payed in hys keepyng, he shall answer for them to the kyngs. .2. Ed. 3. in the thyze of Forthapto, but by the statute made. 1. Ri. 3. capi. 3. that is chaunged. And if felon or murderers be in the towne, and the Constable haue knowledge thereof, it is hys office & duety to assēble people for to take thē.

**A**nd yf one take a felon in the town and bryng hym to the constable to be conveyed to the gaile, the constables office is to cary him thither, and to cause other of the town to ayde and assyst hym in so doyng.

**A**nd note that constables wer ordeyned for two intentes: that is to wit to kepe the peace, & also to repres felons, to take surety by obligacion of such persones as they shall fynde makynge affrayes.

**I**t apperteyneth to the office of y<sup>e</sup> cheife constable of england to haue consuāce of dedes of armes and contratces touchynge dedes of armes & of war out of the realme and in lyke manner of thynges touchynge



## **The office of constables.**

armes wythin the realme whych can not be determined by the comon law, as it appeareth clearely by the statute made the xiii. yere of. Ki. ii. Cap. ii.

**A**lso it appereth by the statute made, anno primo. Henri. 4. Capitulo. 13. that al appeals to be made of thynges done out of the realme of England shall be tryed, and determined before the cōstable, and Mar- shall of England for the tyme beyng.

Also when baytyle is ioyned in a wyrt of right or in appeals, that shall be derayned before the cōstable and marshal, how be it the iustices must se y baytyle don because y they be properly Judges therof, and not the Constable nor the Marshall.

**A**nd the cōstables haue many other auctorities aswel by y comō law, as by statutes made, the which you may see there.

**A**nno septimo Edwardi quarti, it is said the gardeyners of the peace at y comō law may enquire of congregacyōs, & vnlawful assemblies, and of disseason wyth force, but not of entre wyth force. But now by the statute, if ani enter with force, or do disseasō wō force, or enter peaceably, & kepe possesiō wō force, y iustices of peace may make restitutiō to y party, & put him in possesiō on by theyr wyrt dyrected to the shyriffe.

**Consta**

## The Office of Constables.

**C**onstables in the townes where they beare offyce may arrest me that go oꝝ ryde armed in fayres, markets, by day oꝝ by nyght, and take theyꝝ armour as forsayt to þe kyng, impꝛyson them at the kynges pleasure. Anno.2. Ed.3. at Portsmouth.

The kynges purueours oughte to make theyꝝ purueyaunce for the kyngs house, by the Constable, and four honest men of the towne wher such purueours shalbe made wythout threathynge. And in presence of the constable, tayles shal be made & sealed with þe seales of the takers, betwene þe said takers & þe parties of whō þe goods be taken. And if anye taker make hys pryse othervise, it shalbe den w̄ him as with a thefe. Anno.12. Ed.3. Capitulo primo.

**C**onstables of townes must arrest suche as passe by nyght, of whome suspicyon is had: and delyuer them to the Shryffe, ther to remayne in ward, butyll they be duelye delyuered. Also they must arrest suche as be called Rabberdes men, Masters, and Draw latches (if suspicion be had of anye such) be it by nyght oꝝ day, & deliuer them to the Shryffe vntil þe coming of the iustices gayle delyuere. An.5. Ed.3. Cap.13.

**I**t is ordeined þe none shal take for thresing a quarter of wheate oꝝ corn aboue.2.d

## The office of constables.

ob. & for a quarter of barley, beanes, pees,  
and otes, i. d. ob. if so much haue bene vled  
to be geuen, and in the contrie where they  
vse to reape by the sheffe, and thers by y  
bushel thei shal take no more or otherwise  
And that such labourers & other seruaunts  
shal make an othe two times in y yere be-  
fore Lordes, Stewardes, Bailiffes, & con-  
stables of euery town, to do and kepe this  
ordinaunce, and that none of them shal go  
oute of the towne where they dwelled in  
winter for to serue in fomer (if he can haue  
seruice in the same town) sauing to y folke  
of the counties of Stafford, Darbye, Lan-  
caster, Crauen, and the marches of wales  
there free liberty to labour in other coun-  
tries in the time of August. And thei that  
refuse to make such othe, or to performe y  
thing that they haue sworne and take vpo  
them shalbe put in the stocks by y sayde  
Stewardes, Bailiffes, Constables of tow-  
nes, by the space of thre daies or more, and  
shalbe sent after to the next gayle, & there  
to remayne vntyll they wil be ordred, and  
that there be stocks in euery town for y  
same intent. And the Stewardes, bailifes  
and Constables, shal make othe before the  
Iustices assigned to enquire diligetly of all  
them that offend against this ordinaunce,  
and



## **The office of constables.**

and to certify theyr names befoze y<sup>e</sup> same Justicers when they shall come into y<sup>e</sup> cou-  
try, to kepe their sessions, vpon which cer-  
tificat made the same Justicers shall cause  
them to be attached by theyr bodyes to ap-  
peare befoze the said Justicers, to answers  
vnto such contemptes, so that if they be at-  
teyned, they shal make fyne and raunsome  
and further, to be commaunded to prysb vntyl  
they haue found surety to serue in ma-  
ner aboue sayd. And the iusticers at eueri  
tyme that they shall come into the coutry,  
shal enquire of Stuardes, Baylyffes and  
constables whether thei haue made good &  
lawful certificat, or haue conceyled ought  
for any gyft, procurement, or affinity, and  
shall punyssh them by fyne and raunsom if  
they be found gylty. Anno. 25. Edwardi ter-  
tii. Capitula secundo and octauo.

**C**ōstables of townes wher as forsaithers  
or vagaboundes resort haue power to exa-  
myne them diligentlȳ, and compell the to  
fynde suretye of theyr good behauiour, by  
sufficient mainpernours distreynable in  
case that any defaulte be founden in suche  
faytures, and vagaboundes. And if they cā  
fynde no such surety then to be sente vnto  
the next Tayle, there to remayne vnto the  
commynge of the Justicers of Tayles delȳ-

### The office of constables.

mere, which haue authori to do with suche sayttours and vagaboundes as they shall thynke best to be done by che lawe. Anno p<sup>ri</sup>mo. Richardi. ii. ca. v.

**C**onstables of townes may arrest anye seruaunt labourer comyng to the town from any place vagarante, onles he haue a letter cōteyning the cause of his goynge, & the tyme of hys retourn, vnder the kings seale y<sup>e</sup> thereto shalbe assigned and deliuered to the custody of some honest man of y<sup>e</sup> Hundred. Wepen take, City or Borough according to the discrecion of the iustices of peace. And the constables may put him in stocks, & kepe hym vntil he haue found surety to retourn to his seruice, or to serue i<sup>n</sup> y<sup>e</sup> towne frō whēce he came, vntil he haue a letter to depart vpon cause resonable. Anno duodesimo Richardi secundi. Capitu. iii.

**C**onstables haue power to arrest seruantes and labozers that beare about thē hāgard, dagger, or knife, and to sease the said weapōs as forfayt, and them to kepe vntil the sessions of the iusticers of peace before whom they shall present such weapons w<sup>th</sup> y<sup>e</sup> names of thē that bere thē: except y<sup>e</sup> they trauallye in the country in theyr maysters meſſage. Anno. xiii. Richard secundi ca. vi.

**S**chyrifes & other the kynges ministers  
may

## The office of constables.

may take the power of the country to re-  
presse assemblies, and riotes in outrageous  
nombre, and to comit them to prisō. Anno.  
rbii. Richardi secūdi. capitulo. 8. At semeth  
by these wordes (the kingsministers) that  
Constables of Townes haue power to do  
so by this act aswel as the Shyryffes.

¶ Constables may arrest seruantes labo-  
rers, and impryson them by the space of. 6  
daies, which vse not. bowes & arrowes vpon  
sondayes, and suche other Festiual dayes,  
whych theyl not leaue vterly alplaying at  
the bal aswel with hand as with foote, and  
other games, called coyts, dyce, casting of  
þ stones, keyl, & al other lyke importunate  
games. Anno. ii. Henrici quarti capitu. 4.

¶ Constables and all the kyngs liege peo-  
ple that are able to trauayle within þ coun-  
ty must be assisting & aydyng to the iusty-  
cers of peace, & the Shyryfe to repres great  
ryotes, and vnlawful assemblies vpon paine  
of imprysonment and to make fyne & rau-  
some. Anno secundo Henrici quinti. Ca. 8.  
Constables shalbe made in euery party of  
the Marches of Wales, & market townes  
to enqyre, searche and arrest such persōs  
that cary bytaylor or armour to any part of  
Wales, without the kynges licence, which  
constables shal haue þ 6. part of þ forsayt  
for



**The office of constables.**

for theyr trauell. An. 4. H. 4. Capitu. 16.  
**C**onstables of port townes (where souldiours y haue bene retepned in wages to serue in war beyond the sea o: vpo y sea, & depart fro theyr Capitaines, & turnbacke, & arriue in any port of England without licence of theyr Capitaine vnder hys seale, maye arreste such souldiours, and kepe the vntyll enquiry be made of theim, and if it mai be proued by enquiry before iusticers of y peace, and proues that they haue mustred of record, and departed fro their Capytayne (as before is sayd) without licence, then they to be punyshed as felons. An. 18. Hen. 6. Capitulo. 19.

**T**he Constables, tythingmen, and chese pledges of euery towne must assist & ayde the owners and sellers of any goods (wher y kings puruepours wyl make their puruepaunce o: bargayn of any goodes to the value offorty shillinges o: vnder) of any person and wyl not pay prest paymente in hand: in whych case it shall be lawfull for euery one of the kinges lieges: to retayne them, and to resist such perueours and not to suffer the to make any such purueiaunce. And if the Constable, tythingman o: chese pledge be requyred to ayde & assyst any man in makinge suche resistance, and he refuse it,

### The officer of Whyrres.

It, he shall pay to the party grieved the value of the thing so taken, by action of det, with the damages to the double. An. 20. Hen. 6. Capitulo. 14.

Constables may arrest purueurs, or bi-ers of any Lord, or other persone (excepts purueours for the king and quene) which take any vitayle or cariage against the will of the owners, and to commit them to the next prison of the kynges, there to remain without baile or mayntenaunce, untill they haue deliuered all the sayde vitayles or carriages, and other thinges so taken. And if the Constables do otherwys when they be requyred, they shall forsayt twenty pounde. The mopte to be to the party fro whom the goodes were taken, to be recouered by action of det, wherein the defendaunte shall not wage his law. An. 23. H. 6. Ca. 12.

Clothpers shall pay to carders, spinners and other labourers lawfull mony for their wages and carders, fullers, & other labourers shall do their duty upon payn of double damages. And the costables of the hundred or Constable maye heare and determine the cōplaynts of euery suche clothier and labourer as wel for nonc paymente of the sayde wages of labourers, as of the sayd forsaytures & damages by due examination

**The office of constables**  
nacio of the partyes in that behalf, and fur-  
ther for none payment of the sayd duties,  
forfaytures and damages, to comynyt the  
trespassours to the next sayl in y same cou-  
ty, vntyl the sayd duties, forfaytures, and  
damages be duly payed vnto y sayd labou-  
rers, or clothyers. An. 4. Ed. 4. Ca. primo  
¶ Every hygh Constable or pety cōstable  
shal take, or cause to be taken al vagabou-  
des, ydle people and suspect persōs livinge  
suspecyously, and set them in the stocks, &  
there to remayne by one day & one nyght,  
and to haue none other sustynauce, but  
bzeade and water, and then to auoyde the  
tolwne where they were taken, into suche  
place or hundzed where they were born, or  
where they last dwelled by the space of.iii.  
yeres. And if estsones they be take in such  
default, then they to be set lykewise in the  
stocks by thre dayes and thre nightes, w  
lyk dyet. Anno. 19. H. septimi. Capit. xii.

¶ Constables and other hed offycers, and  
euery of them finedyng or knowynge any  
person vseng or exerceysng any vnlawful  
games, as tennis play, bowles, clasth, and  
all other vnlawfull games, prohibyted by  
many statutes, shall haue ful power to co-  
mynyt euery such offendour to warde, there  
to remayne wythout bayle or maynpzpee,

till



## The offices of Wherryes.

tyll such tyme be or they so offendynge be bounden by obligation to the kinges vsein such sum as by discretion of the same officer shalbe thought resonable, that they fro thense forth shall not vse any vnlawfull games. Anno sexta. Henrici octa. ca. ii.

¶ For wages for boate men and for theyr barges or botes, or for a barge from London to Graues end. iii. shyllinges or elles euery person and his male two pence. Fro London to Greth, Grenewyche, Grastoc, or Purfleet. xii. d. or els for euery persō, and hys fardell. i. d. so it passe not. xii. d.

¶ Fro London to Walswicke. xiii. d. for a bote or wherry that is the tyde bote, or els euerye person ob. Fro London to Grenewyche. iii. or els ob. for euery persone and hys fardle. From london bydge, of saynte Mary oueres, or Paules wharf to Westmynster. iii. d. or elsse euery parson, an ob. Fro the blacke fryres, Wydetwell and the Temple to westmynster, or Lambeth. ii. d. with theyr males, or els euery parson ob. so that it amouit to. ii. d. From Westminster to Lambeth or staingate one ob, for a bote Fro London to Dortlake. xii. d. or els euery persō. ii. d. with hys male. And fro those places aboue named to Londō for a bote, or barge lyke sums to be payde. And these  
artycles

**The office of constables**  
articles to be kept vpon payne to forsayte  
treble the fare. And baillyes, constables, &  
other the kynges offycers next adioyning  
to the series, vpon complaynt to the made  
or to any of them by theym that be greued  
in that behalf, maye arrest them, and com-  
myt the to ward for theyr misdeemeanour &  
to make fyne for the same. An. vi. H. 8. ca. 7.

**¶** By the estatute made an. xxi. Hen. viii.  
how impotent persōs shalbe ordred to beg  
and haue theyr liuing. It is ordayned that  
if any impotent person aucthorised to beg  
do beg in any other place, then wythin the  
lemptes to hym assygned then the consta-  
bles and al other the kyngs offycers, shall  
by theyr dyscretion pnyssh al such persons  
by imprysonment in the stocks by the spa-  
re of two dayes and two nyghtes, geuinge  
them but only bread and water, and after  
that to cause euery such person to be sworn  
to retorne agayne wythout delaye, to the  
hundreth, Rape, city, Borowgh, tolon, pa-  
rysh, or francheysle wherin they be auctho-  
rised to beg in.

**¶** And if any impotent person be vagarāt,  
and go a beggyng and haue no suche letter  
vnder seale as is specified by thys statute,  
then the constables, and all other inhaby-  
tauntes wythin suche tolnes or paryshe,  
shal

shall cause euery such begger to be taken, and brought to the next iustice of peace or high constable of the hundred. And therby the sayd iustices of peace or hygh constable shall commaund the sayd Constables and inhabitauntes of the towne or parish whiche shall bying before hym any suche begger, that they shall stryp hym naked from the myddle vpwarde, and cause him to be whipped within the towne wher he was taken, or where the same Iustices of peace or highe Constable shall appoynte. And yf not, then to commaund such begger to be set in the stocks in the same towne or parish where he was taken by the space of thre dayes and thre nyghtes, to haue only bread and water, and thereupon the sayde Iustices or hygh Constables shall lymyt a place to the same begger to begge in. And to geue hym a letter vnder seale, in forme before limited, and to sweare hym to repair thither immediately after his punishment executed.

¶ And al other persons being hote & mighty in body that do beg, the constable of the Hundred, Rape, or Treapentake, wherin such persones shall be so taken. And the Iustices of peace or hygh Constable, before whome they shalbe brought, by theyr dys-



creations shall cause them to be brought to  
such places where they thinke conuenient,  
and there to be whyped naked throughe  
the towne, or market, & then to be sworn  
to returne to the place where he was born  
or where he last dwelled by the space of .3.  
yeares: And to haue a letter vnder y<sup>e</sup> seals  
witnessing that he hath bene punished.

¶ Also all persons y<sup>e</sup> abiure to anye Sanctu-  
ary w<sup>th</sup>in thys realm shalbe conueyed  
therunto by the constables of euery town  
thyp, that is from town to town, tyll that  
he come vnto that same Sanctuary, wher-  
vnto he is abiured in like maner and forme  
as persones that had abiured this realme,  
shuld haue bene conueyed to the next port  
of the sea from that place where they bee  
abiured vnto the same Port by course of  
the common lawe, before the makinge of  
thys statute. An. xii. H. viii. ca. xiii.

¶ Every fermour or owner of lades, tene-  
mentes or hereditamentes, wherof y<sup>e</sup> yeare-  
ly value or rente amounteth to .v. pounde  
whiche manureth the same, shall paye to  
euery person whiche by his diligence & la-  
bour at his owne costes taketh an old cro-  
we, and Rookes, or Thoughes, vpon the  
same landes, tene mentes, or hereditame-  
tes of the perely value aforesayd. ii. pence,

### The office of constables.

for every twelue olde Crowkes, Rokes, or  
Choughes: and a peny for fyre, and an hal-  
peny for thre old Crowes, rokes or Chou-  
ghes. And if anye sermer or owner refuse  
to pay the sayd mony according as is afo-  
sayd, then vpon a complaynt & prose made  
therof to any iustice of peace or hygh Con-  
stable, the same Justice or hygh constable  
shall cause the same mony to be leuyed by  
distres of the goodes and cattels of every  
such sermer or occupper of y<sup>e</sup> same landes  
and tenementes. An. viii. H. viii. Cap. v.

¶ Whether it is ordaynd by an estatute made  
in the vii. yere of king Richard the seconde  
capitulo. ix. that he whiche espieth and pro-  
ueth defaultes in any clothes put to sale con-  
trarye to the assise thereof ordayned tou-  
chyng clothes, and contrarye to the sayde  
statutes, shuld haue the thyrde part of eue-  
rye such cloth beyng defective for his la-  
bour by the deliuey of y<sup>e</sup> Shyrriffes, if they  
be present or els of the lordes of sayres and  
markets, or of stewartes, baylifes, or con-  
stables of towne, where suche defectyue  
clothes shall be founde, by Indenture be-  
twene them to be made, the whych shalbe  
deliuered euery yere in thescheker at the  
feast of Saynt Michael, by them that shall  
make such deliuey, to thintent to charge

### The office of constables.

the Augonours & coyllours, by whōe suche maner of defaultes ought to be searched & amended. An. vii. Richar. ii. Ca. ix.

**I**f any persone, shyppe marchaundise of Staple in places suspect, adioyninge to the coastes of the water, and maketh no indentures thereof betwene him & the Bayre or Constable of the towne, they shall be forfayt and the kyng shal haue the moyte and the Lord of the towne, and he that founde and sealed such warres shal haue the other moyte. And it is lawful for euery persō to search in these causes. An. xiii. H. vi. ca. vi.

**I**t is ordeyned that a horse man shal pay for passage at Douer thre shillinges, and a footeman .vi. d. And the Constables of Douer to punish them that do contrary at the sute of the party that wyll complayne and shal do him right in that behalf. an. 4. Ed. 3. Capitulo octauo.

### The offyce of the Coroners.

**F**or to declare playnly the office of a coroner, it appeareth by the statute of Magna carta in the. xv. Chap. that no Coroner ought to holde anye pleses of the Coroner. But Britton declareth the office of a Coroner in forme folowynge.

**F**irst that in euery county coroners shal be the principal conseruatoours of the peace



## The Office of Coroners.

to beare record of all ples of the crown, or  
aburratiōs, vtlagaries, and such lyke. And  
the coroners shall make an othe before the  
Shyryffes in the sul county, that they shall  
make theyr enquest, in rolmentes, and all  
y to the coroners office apperteineth law-  
fully and wythout askyng allowance. And  
if any feloni chaunce, or treasure be found,  
or any woman rauyshed, or pryson broke,  
or any man wounded nigh vnto death, the  
coroner so sone as he shall knowe therof, shall  
sende to the Shyryffes, and bailiffes of the  
places (where such aduenture shall happen)  
to cause to come before hym by a certayne  
day at the place (where such chaunce befel)  
four of the next towneshippes and other if  
nede be, by whom he shall enquire y verity  
and shall compel the towneshypps to sweare  
vpon the sayntes to shewe y truth of those  
articles that he shall demaund of them. The  
shall the Coroner and the Jurrours viewe  
the body, and the wounds, and the strokes  
and immediatly after such viewe had, the  
body shall be buried. And if the coroner find  
the body buried before his commynge, he  
shall record the same, neuertheles he shall  
not omitt to dygge vp the body, and make  
it be viewed opely of y townes. And those  
Jurrours, which haue bene somoned, and

## The office of Coroners.

Some not to y<sup>e</sup> enquirers of Coroners shal be amerced at the coming of the Justices at the first assises in those counties so y<sup>e</sup> suche defaultes be entred in the Coroners rolle so that the Coroner shal haue no power to amercie no man for any defaulte.

¶ And when the enquest is sworne, the coroner must inquyre if the person wer slain by felonye, or by misadventure, & whether the felonye were done w<sup>th</sup>in a house, or w<sup>th</sup>out, and all the circumstance. And after it shal be inquired who were present at the dede, & who be culpable of the saide force commaundement, consent, or receit of such felonies wittingli. And if y<sup>e</sup> coroner haue ani suspicio of y<sup>e</sup> first inquest for cōsealment of the trouth, or if it be needeful to enquire better bi other, then shal he enquire diuers times, and all such as thereof shal hap to be indited, the Shirisfe shal take in al y<sup>e</sup> hast, if they may be founde: & if not, the coroners shal enquire who they be, & who hath withdrauen the selues for y<sup>e</sup> occasion & the Shirisfe shal forthw<sup>th</sup>, cause their lād to be seased, & afterwarde sal they<sup>r</sup> goodes, & cause the to be praysed by lawful inquest, and the goodes with the pryces shal be enrolled in coroners rol, and shal be deliuered to the tow<sup>n</sup>shipp so, to be answerable ther

## The Office of Coroners.

fore vnto the kyng, in case the party so en-  
dited slype, and wyl not stand to ryghte.  
¶ And after they shal enquire if ye p is in-  
dited did euer fynde surety to kepe y kyngs  
ges peace, and the names of his mainper-  
nours whych he shal enter into hys rolle.  
And if the plaintife wyl sue appeale win  
the yere, and the daye, then shall he fynde  
two sufficient pledgee to the Shyryffe of y  
county, distraynable w the same, to sue his  
appeale accordyng to the law of the lande.  
And then shall the Coroner cause the ap-  
peale to be entred w the names of the pled-  
ges, and after it shalbe comaunded vnto y  
Sergyaunt of the county where such felo-  
ny is done (which as me semeth is the Shy-  
riffe or hys Bayllyffe errant) that he haue  
the body at the next counti. And if the ser-  
giaunt return at the second county that he  
can not fynde them, then shall it be a war-  
ned y the pryncypal beyng appealed of the  
dede, shalbe solemnly called to stad right  
touching the same felony, and so shalbe cal-  
led from county to county vntil they come  
or be outlawed, and if the playntife make  
defaulte at any countye, then shall the ex-  
igent passe vntil the comyng of the iudices  
of the kinges bench or the iustices in Eyre  
saye cōtre. And if y pryncipal be outlawed



## The office of Coroners.

the exigentes shal go forth immediately agaynst accessories. And when they shalbe outlawed, wythdrawen, or suspected, the Coroner shal enquire at whose finedynge such a fugitive hath bene, and according to the verdyt he shal enrol it, and the enquire of the landes and goodes of the fugitive. And if they appeare before outlarve, they shalbe repleuable. And if the felony were done out of a house: y coroner shal enquire who found the body first, and he shalbe taken and let go vnder sureties. And that no Furroure be remoued by calling of any party. Neyther shall anye Coroner take anye thyng by him selfe, or by other, nor suffer to be taken by hys cleerke, for doyng his office. And if it be found that any is dead by misadventure, the shal it be enquired what misadventure, as if it be found that he fell from a myll it shal be enquired what thinges were then mouyng there, and howe much they be worth, and so if he fel out of a cart, and if one fall out of a shipp, nothyng shalbe iudged the cause of his death but the ship, and the things that moue therein, and not the marchaundysc lying therein.

And the coroners ought to receyue the confession of felonies made by prouours in presence of the Shyryffe who shall be hys copetroullour

## The office of Coroners.

troullour in all hys offyce, and such confession, he shall cause to be enrolled, & when any person dyeth to a church, so sone as y coroner shall haue knowledge thereof, he shall send to the Baylife of the place, that he shall cause to come before hym by a certayn day, the neyghbours, and soure of the next townshypps adioynng to the church, and in theyr presence shal receyue the confession of the felony. And if y fugitiue pray to abiure the realme, the coroner shall do that the which to his office belongeth.

¶ Also he shall enquire of rape, and all the circumstance, the appeales wherof with all other appeales of robbery, felony and suche lyke, he shall cause to be entred in hys rolle.

¶ Also they shal enquire of treasure founde of wreckes of the sea, and of Sturgions, & of Whales taken, & who were the takers, whose names thei shal enrol and let them go by maynpryse. And such thyngs as shal happen to be founden they shal safely kepe to the kynges vse. And the Shiriffes, & bailiffes shalbe alwayes attendaunt vpon thẽ, and theyr commaundementes.

¶ It is ordeyned that throughtoute all the countyes of England there be chosen sufficient Coroners, of the most sage and lawfull

## **The Office of Coroners.**

shall knyghtes that may beste to the same  
office intend which lawfully shall attache,  
and present ples of the Corone as well of  
appeales as thynges to the same offyce be-  
longyng. And that no Coroner demaunde  
or take anythyng for doyng his office, vpo  
payn of a greuous forfayture to the kyng.  
i. Westm. Cap. xii. But now by the Sta-  
tute made. Anno. i. H. viii. Cap. i. the coro-  
ner shal haue. xiii. s. iiii. for the escape vpon  
the towne shyp.

¶ Also it appeareth by an statute made in  
the. xiii. yere. of. Edward the fyrst, whiche  
is called the Statute of Erchebster, vnder  
what order enquisition shalbe made of the  
defautes of coroners, be they alive or ded,  
where ye shal se the charge that shalbe ge-  
uen to the enquestes that shall be char-  
ged to enquire of Coroners, in whi-  
che charge it appeareth fur-  
ther, what that Coroner  
ought to do bi his office,  
whych charge here  
ensueth.

¶ The forme of the charge to enquire of  
the defautes of the Coroners accor-  
dyng to the Statute of  
Erchebster.



## The office of Coroners.



First they shall enquire if y<sup>e</sup> coroner go in proper person to do his office or not, wherby it appeareth that he can not make a deputy.

1. Also if he haue sente any other to doe his office what he was, and how ofte, and about what aduentures.

3. Also if he came at euerye tyme at his own good wyl wythout delaye, or that he or his clarke haue taken any thyng for y<sup>e</sup> more speedy executing of theyr office.

4. Also yf he tary, or delay to thētent to haue any reward after that he hath knowledge of the truthe, and after that is sente vnto, how ofte, and in what place, and vnder what maner.

5. Also if the goodes of felons taken by him be deliuered to y<sup>e</sup> townes to kepe by a lawful enquest as they oughte to be, & enrolled in his record or not.

6. Also if the coroner take any thing of any persone for to take a false enquest for to destroy the righte of anye, or to praysse the goodes for lesse then they be worth.

7. Also if he enter any thing in his rols, otherwise then it was geue by the enquest and what thyng, he or his clerk toke therefore, and howe often, and for what thyng he or his clerke, toke such thinge. viii. Also

## The Office of Coroners.

if he or his clerke take of the goodes that were pyyled, and pyyled them at les then they entred them in theyr rolles. ix. Also if the pyyles were not assessed by þe inquest. x. Also if the townshipp wer falsly charged and of what thing. xi. Also if any appeales wer falsly enroled, or imbeseled out of the rolles after that they were entred. xii. Also if he refuse to take any playnt of appeales for pouerty, hate or other lyke cause, & what he take for that occasyon: & of whome, and how much. xiii. Also if he or his clerke haue taken ought of goodes of the partye that is dead vpon whose body he take belw what thyng it was, and howe often he so dyd. xiiii. Also if he haue entred all the attachements belonging to his office in due maner, or if he haue made any attachement for to greue anye person or to haue of his owne, and entre it into his roller. xv. Also if he haue not doone his office at all tymes at his owne costes wythout takinge ought therfore. xvi. Also if he haue consailed ought at any county, or procured to be murdred, to the greuaunce of any persone and if he so dyd, then to enquire how often and for what reward, and for whome, and in what case he dyd. xvii. Also if all the attachementes, hangyng, and lawfull yere-  
ceined

## The office of Coroners.

seyned be pursued by hym as he ought to do for the kyng or for the party, or cause to be pursued.

xviii. Also if the goods of such as haue fled the townes where they dwell for suspensio of felony, were attached by him, & praysed by enquest, and enrolled accordyng therunto, & delyuered vnto the townes where those goodes were founden, to kepe safely vntil the coming of the Justicers in Eyre. xix. Also if he suffer appeales or other plaites to him made, to be conueied away, imbezeled or rased out of the rolles, and if he take ought for such falsshed of whom, how much, and how many times.

xx. Also if there were any treasure found in the tyme of the same Coroner in what, and what maner of treasure, & how much and in whose hands it resteth, & by whose delyneraunce.

This is the hole charge that iusticers in Eyre must geue, for enquiry of Coroners, and of theyr defaults. Furthermore iustices in Eyre maye inpanel other inquestes of foure and twenty persones of the bodye of the county to enquire of the conceilment of the firste inquestes whiche dyd enquire the defaults of the Coroners.

When Coroners haue anye knowledge from



### The office of Coroners.

From the kyngs bayliffes, or other honest men of the country so to go vnto suche as be slayn, or sodaynly deade, or wounded, or breakers of houses, or to any place where treasure is sayd to be found. they must go forthwyth, and comaund four five or syxe of the nerte townshypps, that they be afore them at such a day and place, and whē they shall come, then the Coroner muste make enquiry therof in forme folowynge.

¶ First if the person were slayn in house, or in the felde, in bed, or at the tauerne. &c. and who be gylty there, eyther of the dede or confet. &c. And if any be in y<sup>e</sup> court which were there, so y<sup>e</sup> they can speake, or haue any discretion, and they that be founde gylty by inquest. shalbe take and deliuered to the shryffe. And such as wer present, & be not gylty shall be attached vntyll the coming of the iusticers, & theyr names shall be wrytten in the Coroners rolle.

¶ If any be sodaynly slayn in felde or the woddes, it is syrffe to be seene whether he were slayne there or not, and if he wer not slayne there, then as neare as they cā, they shal folow the steps of hym that broughte the body thither with hors or cartes, if it be possible, in case y<sup>e</sup> murderer be knownen & if he be a straüger then shal they inquire where

### **The Dutie of Coroners.**

where he was lodged y<sup>e</sup> nyght before. And touching such as shalbe founden guilty y<sup>e</sup> Coroner shal go immediatly to their houses, & enquire what goodes & landes thei haue, and how much they be worth by the pere.

¶ But by the statute of kyng Richard the iii. it is ordayned that the landes & goodes of such personnes shal not be seased vntyll they be attaynted or otherwyle conuict by s<sup>er</sup>cise of the law. And these thynges thus beyng inquired, the bodies shalbe buried incontinent.

¶ Moreover they must enquire of such as be drowned or dead suddenly, and whether they wer drowned or straungled or slain, & they must enquire who were the inders, & they may be attached, also they must view the length, breadth, & depenes of all woundes, and must inquire with what weapons and in what place of the bodye. And if the wounde be mortall, the offendoure shalbe kept vntil it be known whether the party may be hole. And if the wound be greate then he shalbe let goe, vnder foure or fyve pldges, and if it be but litle, the two pldges shal suffice. Also they must enquire of horse, cartes, and other thynges whereby any was slayne, that they maye be pryed, and deliuered, &c.

### The Dutie of Coroners.

**A**lso they shall enquire of wrecke of the sea, & if any lay hand vpon it, he shalbe attached by good pledges, & the wrecke shall be pryed and deliuered to the next townshypps. Furthermore hue and crye shall be letted vpb al manslaughters, burglarics, or when any is slayne or in perell of death, if it maye be. And all shall follow such hue and crye yf they be able, and they that doe not shulbe attached to appeare befoze the Justicers. &c.

**A**lso if any person flye vnto the churche or other halowed place for murdre, felony or such like offence, y Coronor vpon knowledge thereof shall come thither, and take his confession, and if he wil abiure y realm the Coronor shall receyue his abiuration, whych he shall say in this forme.

### The forme of Abiuration.

**H**ere you thys s<sup>r</sup> Coronor that I. A. B. am a thefe of one horse or other lyke thing, or a mansleer of one man, or mo, and a felon of our s<sup>u</sup>eraygne Lord king Henry the. viii. And sozasmuch as I haue comytted many euyl dedes, & felonys in thys realme, I here abiure his land for euer, and shal make as much hast as I canne to the Hauen of. D. whych you haue assigned me: and I shall not departe out



### The office of constables.

out of the high way: and if I do, I will that  
I be taken as a thefe and felon of the king.  
And further I shall diligently seke my pas-  
sage at the place aboue limited, and I shall  
not abyde there any longer then one che-  
one fload, if I may haue passage. And yf I  
cā haue no passage in so much space, I shall  
go euery day into the sea, vpon my knees,  
and assay if I can get ouer. And if I cannot  
so do wpythin fortye dayes continuynge, I  
shall yelde my self agayn to the church as  
the kinges thefe and felone. So healpe me  
God and holydome.

Especiallye it semeth that when any  
person shall abiure, him behoued to shewe  
the place, the day and yere, & in what coun-  
ty he did the felony or murdre, which con-  
fession shall be as an inditement in effect,  
notwithstandinge if he do it not but onely  
as before is expessed, it is good inough, be-  
cause he is attaynted before by his abiura-  
cion. Wherfore this maner of abiuration is  
put out by the statute of Henry the eighth,  
made the .xii. yere of his reign, whereby it  
is ordeyned, that such as wylt abiure, shall  
make theyr abiuraciō from al theyr libertie  
vnto some sanctuary within this Realme  
there to remaine durynge theyr lyues, & that  
be burned in y<sup>e</sup> right hā wpyth thys letter

### The office of constables.

**A.** And if such person afterward be taken out of sanctuary, he shal be ordeyned in lyke manner as one that had abiured the realme before the sayd estatute. And the same person that so taketh the Church shal make his abjuratioun, and shal take his passage from thence at such a day and tyme as the Coroner shal appoint, and shal be marked vpon the balowe of his thumb on the right hande with a burnyng yron, and shal be conveyed to the Gaol, where he is to be assured by the mayres, bailiffs, & constables in such fashion as they haue beene, whiche heretofore had abiured the realme. And if he refuse to abiure before the coroner, he shal be taken out of the sanctuary, and shal lese the priuilege therof. And that is by the statute. An. Hen. viii. C. ii.

**A**lso it is ordeyned that none shal be chosen coroner, if he haue not land sufficient within the same county, for to answer all persons. An. iii. Edward. iii. Capi. viii.

**A**nd it is further ordeyned that all Coroners shal be chosen in the full county by commons of the sayd countie of the most conuenient and able persons. Anno. r. viii. Edward. i. Capi. viii.

**T**he coroner shal inquire vpon the bryde of the body if he were slaine by daye: if the  
mur

**The office of coroners.**

murder be taken. And yf the murder escape, y<sup>e</sup> towne shyp to be amerced: And the coroner shall inquire of that Escape when he inquireth of the death vpon the beu of the body. And the Coroner shall haue for his fee, xlii. s. iiii. d. of the goodes of y<sup>e</sup> murderer. And if he haue no goods, thā to haue hys fee of such amercement as shalbe sette vpon the towne shyppe for the escape: And after the murder found, the coroner shall certifie his inquisition afore the Justicers of the next generall gaile deliuerie in that county. And yf the coroner be remysse and make his inquisition vpon the beu of the body, and certifie not accordyng as is afore sayde: Then the coroner for euery defaulte to forsayte one hundred shyllinges. Anno iii. Henrici septimi. Capitulo primo.

**¶** It is ordayned that vpon request of the coroner to come and enquire of any persō drowned or slayn by misadventure: the coroner shall diligently do his offyce without any thyng takyng therefoze, vpon payne of euery coroner that wil not induer him to do his offyce, or that taketh anye thyng for doynge his offyce vpon any person dead, by misadventure fortye shillinges. anno. i. Henrici. viii. capitulo. vii.

**In case of mans deathe wythin the bierge**



it shalbe commaunded to the coroner of þe countie that he together wyth the Coroner of the kynges house do make þe enquiry, and enrolle it. And that whiche ca not be determyned before the iudward because the felons be not attachyd, or for other like cause shall remayne at the common lawe so that the rigentes, uslagaries, and prisementes therof be made in Eyre by the coroner of the countrey, as of other felonyes done out of the vierge. Artycles vpon the Charters. Ca. li.

No coroner, shryffe, nor other officer shal take ought for his office, & if he do, he shall restore twise so much. *Wilell. 1. Ca. 18.* But the statute of. 13. 7. geaunt to the coroner a marke for every murdre.

Also it was sayd by the Justiciers. 39. vi. R. 2. that the Coroner hath no power to enquire of mans death, but only vpon viewe of the body, and if he do, it is frustrate and voyde. And if one Coroner enquire vpon the view of the body, and after another coroner wylcome and enquire thereof again the second inquiry is voyde, for the fyrrte enquiry is only of recozd.

If one become a prouour before the coroner he shal not afterward be admitted to say that he dyd commit the act by durse of

## The Dutie of Coroners.

of imprisonment, for the record of the Coroner shall eslop to hym plede that.

¶ If any wyl sue appeale of robbery, of larcenie, he must come into the full Countye wythin the pere and the day after the felonye done, and muste fynde two pledges to solow his sute, and the Coroner shal enter his appeale immediatly in his rol, and the names of the pledges. And then shal it be commaunded to the Bayliffes of y place, where. &c. that he haue the body at y nexte county. And if he return at the second county (non est inuentus) then shall the appeale be called from county to county vntyl he be outlawed, and if y plaintife make defaulte at any county, then shal the Exigent cease vntil the Cyre of the iusticers in the same countye, and the playntife shall lease his action after apperance for euer, wherby it appereth that after the pere and day a man shal not haue appeale of felonye. And to this poynt agreeth Britton in his first boke.

¶ The Coroner must record his othe, abjuratioun, appeales, & accusatioun of thengs made before hym, and so muste he do of al thynges that belong vnto his offyce to be done, and the non suites of playntife in appeales he must record, wythall thyngs don in the county whych belonge vnto his of-

## The office of Coroners .

hicc. Also ye shal note that appeales shalbe made in the court of any Lord that hath franchise of infangthefe in presence of y<sup>e</sup> Coroner. &c.

¶ A presentment was sent into the kyngs bench by a Coroner contryvyng howe a certayne person taken for felony, was conveyed unto the church by certain freers. &c. And because the Coroner had no power to take such an inditement, a writ was directed to the same Coroner to certifie whether he had any other presentment or not. An. xxvii. E. 5. lib. b. assisarum.

¶ An adventure of the death of a man was presented before iustices in Eyre, & because the same was not founden in the coroners rol, the Coroner was awarded to pylone. The coroners se in Eyre, is to have a penny of every venue, when they shall come.

¶ Note that a presentment made before Justices in Eyre of a thing which is contrary to that that is entered in the coroners rol shalbe taken as voyd, and the coroners rol shalbe taken for the record.

¶ The Coroner shall enquire of the death of men slayne, or drowned in the armes, or creekes of the sea, where the lande may be seene of eyther syde.

But nowe by the statute made. An. 1.



**R. ii. Ca. v. and confirmed. An. ii. B. iii. c.**  
**In the Admirall hat** jurisdiction is  
 ly upon the hys sea, where robbes appeareth  
 that the coroner hath jurisdiction there to  
 enquire of mans death.

**A coroner may take an appeale of felony**  
 made by an appronor in any countye of  
 England and so may he do of an abiuracio,  
 in case that he confesse the felony to be don  
 in any other county. And the coroner may  
 abiure hym as wel upon that, as if the felo-  
 ny had bene done within the same county.

**But he cannot take any appeale of robbery,**  
 or felony, onles it be within the same  
 county where the robbery or felony was  
 committed, and where he is coroner, for by  
 the confession, or appeachement he is at-  
 tached, and so is he not in the other cause.

**One that becometh a prouour, before**  
 iustices that not haue a coroner except he  
 wyl confesse the felony before them, pray  
 a Coronet. **¶. xvi. Edward iii.**

**And if one become a prouour, and appeale**  
 other of diuers felonies don in other coun-  
 ties, in this case the coroner shal not make  
 proces thereupon into any forren county,  
 but he shal enter it in his rol, and shal send  
 the same presentment before the iustices of  
 Tayle deliuey, and y iustices of Tayle de-  
 liuerpe

linery shall awarde proceſſe to the ſhiriffe  
of the ſoreyne county, ſoꝛ to take him that  
is ſo appealed.

Thus ye muſt underſtand that if any ſhi-  
ryffes, bailifes, eſchetours, coſtables, oꝛ co-  
roners take ought foꝛ doynge theyꝝ offices  
otherwiſe then to the is limited by the ſta-  
tutes befoꝛe declared, that then ſuch takig  
is extorcion, which is puniſhable at y<sup>e</sup> kyn-  
ges pleaſure, as appereth by the ſtatutes  
befoꝛe wytten, and by the ſtatute made.

An. i. H. 4. Ca. xi. Whereby it appereth  
that ſhiriffes and other miniſters, bailifes  
and theyꝝ miniſters, eſchetours and theyꝝ  
miniſters, Coroners and theyꝝ miniſters  
are bounde to ſerve all preceptes to them  
dyrected from the Juſtices of peace with-  
out takynge ought of anye partye. And if a  
precept be directed to the ſhiryffe, oꝛ any  
other the kynges Offyſer, to compell any  
to appeare befoꝛe the Juſtices to finde ſure-  
ty of peace, if the party agaynſt whom any  
ſuch preceptes is dyrected be redy to come  
befoꝛe the ſayd Juſtices to fynde ſurety of  
peace they ſhall take nothyng of hym.

And in like maner muſt they ſerve all pro-  
ceſſes y<sup>e</sup> come to the, directed out of y<sup>e</sup> kyn-  
ges bench, the comon place, the Eſchequer,  
oꝛ the chauncery without takinge ought  
ther.

therefore, but only the fees expressed in the  
statutes before written. And if they  
take any other fees it is plaine  
extorcyon.

**A** briefe declaration concernynge  
the extorcyons of ordina-  
ries, persons, vicars,  
and Curates.

**A**nd concernynge Ordinaries, ye  
shal. vnderstand that it is ordai-  
ned by an estatute made in the  
viii. yere of kynge Henry the  
eighth, that no Ordinarie shall take anye  
thyng for the probate of the testamente of  
such a person, whose goods amount not a-  
boue the sum of a hundredth shillings, ex-  
cept to the scribe. vi. d. only. And of goods  
aboue the value of a c. s. vnto. xl. li. iii. s. 6  
d. And the scribe to haue. xii. d. of the sum.  
And for the probate of a testamet of goods  
aboue the value of. xl. li. v. s. whereof the  
scribe to haue two shillings and. vi. d. for  
for every lyne beyng. x. ynches in length,  
one peny. And such sums for letters of ad-  
ministration, where such persons dye en-  
testate, and the testament to be registred,  
and deliuered to the partye, wythoute de-

C. b. lay



lay, & letters of administration to be granted to the wyfe, or next of the blood of the party deceased, or to bothe. And for y<sup>e</sup> probate of a testament or letter of administration of goodes vnder the sume of a hundred shillings, the Dyman shall take nothing. For cause it is the office of the ordinary to deface the seale of the testator (wherwith the testamet was sealed) and to deliuer it a gayn to the party. And if the ordinary take any more then afore is limited, he shall forsaue so much as he taketh, and ten pounde more besides that, wherof the mozte shall be to the party grieved.

¶ If the Ordinary or any person to whom pertaineth spiritual course to depose in any matter thereas is wrythen that is extorcion, and wronge to the party, so much as he taketh

¶ If any Ordinary or person, or vicar, take any mortuarie after the deathe of any person, which had not in goodes to the value of. x. markes, his extorcion. And like wise it is wher they take a mortuari in such places wherethat hath not be accustomed to pay mortuaries. And even so it is wher a person or vicar take more then a. li. s. and in. d. in the name of a mortuarie, if the goodes amount aboue ten markes, and vnder the value of. xxx. li. s. that is extorcion.

## The office of ordinaries.

Also if he take more then. vi. s. viii. d. for a mortuary, where the goodes be about the value of. xxx. li. and vnder the sume of. xl. pound, the dettes payed, that is extortion.

¶ And if they take of the whole goodes a mount to. xl. li. about the detts payed, more then. x. s. for a mortuary that is extortion.

¶ And if they take any mortuary for a woman married, or for a child that is under age, or for a man that hath no house, it is extortion.

¶ And if any mortuary be take in Wales it is extortion, except by thoppas that shal take mortuaries ther of priestes & curates & tharchdeake of Chester that shal take mortuaries of priestes within the county of chester.

¶ And whosoever taketh for a mortuary, more then he ought, shall forsaite as much in value as he taketh, and. xl. s. besides y<sup>e</sup> to the party greued. Anno vicesimo primo Henricio octavi. Capitulo sexto. And thus haue I thought sufficient to declare vnto

you concerning Extorcyons, Ordina-  
ries, Persones, Vicars,  
and Curates.

FINIS.

**C** Imprinted

at London by Iohn  
Wight, dwelling in  
pouls churchyard  
at the signe of the  
Roose.

Anno. M. D. LXX.



